

California Health and Human Services Agency
Department of Developmental Services



**PLAN
for the
CLOSURE
of
AGNEWS DEVELOPMENTAL CENTER**



JANUARY 2005

“Building Partnerships, Supporting Choices”

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For a copy of the plan and updated information, please refer to
www.dds.ca.gov/agnewsclosure

I. INTRODUCTION

The “Plan to Close Agnews Developmental Center” is submitted by the Department of Developmental Services (Department) pursuant to Welfare and Institutions Code, section 4474.1 (Attachment 1). The plan calls for the closure of Agnews Developmental Center (Agnews) by June 30, 2007.

The Department considered it essential that all interested stakeholders have an opportunity to participate in planning for the closure. Therefore, a broad based advisory committee was established along with six planning teams and numerous work groups to provide input to the Department in the closure planning. In developing this plan, the Department incorporated many of the ideas expressed by these participants.

This plan differs significantly from the plans implemented for the two most recent closures of developmental centers in California—Stockton Developmental Center (Stockton) in 1996, and Camarillo State Hospital and Developmental Center (Camarillo) in 1997. Those closures resulted in the transfer of large numbers of individuals to other State-operated facilities. In contrast, this plan is not just about closing a developmental center; it is also about the development of an enhanced community service delivery system in the Bay Area that can meet the needs of the majority of Agnews’ residents. The basic principle underlying this plan is to provide opportunities for the residents of Agnews to remain in their home communities. To achieve this objective, the plan provides for the development of new resources and innovative programs throughout the Bay Area. This will be accomplished by the development of a substantial and sustainable increase in appropriate housing, establishment of new program models, and use of State resources (including some Agnews’ staff) in the community during a transition period.

Preliminary estimates of the fiscal impact of this plan and their relationship to the budget are provided for Fiscal Years (FY) 2004-2005 through 2009-2010. The detail identifies by fiscal year, the cost factors involved in transitioning service delivery from Agnews to the community. Although the closure of Agnews will require a different approach to resource development, the estimates are consistent with the Department’s experience with the closures of Stockton and Camarillo. In those efforts, additional funds were needed to affect the closure; however, the ongoing savings offset these up front costs.

This plan also provides for implementing a new comprehensive Quality Management (QM) system to monitor consumer outcomes and satisfaction, provider performance, and regional center oversight. The Department submitted a proposal to the Centers for Medicare and Medicaid Services (CMS) for a grant to implement a new QM model in the Bay Area. The grant was approved and the Department and the Bay Area regional centers are currently implementing the actions specified in the grant. The focus of this system will be on assuring that quality services and supports are available for each person leaving Agnews.

The date indicated for the closure of Agnews (June 30, 2007) is the Department’s goal; however, our ability to attain this goal is directly linked to the implementation of each component of the plan (housing, new program models and the use of state staff). Delay in achieving these key components could result in a delay in the proposed closure date.

II. PROCESS USED TO DEVELOP THIS PLAN

NEED FOR A FORMAL PLANNING PROCESS

The Department has recognized for a number of years that Agnews was likely to be the next developmental center to close. This was confirmed with Governor Gray Davis' Budget for FY 2003-2004, which proposed the closure of Agnews. The Department considered it essential to devise a proactive planning approach for the eventual closure, one that would ensure broad participation of concerned parties and that would result in an orderly transition of consumers and staff into alternative, appropriate living and working arrangements. The result was the Bay Area Project, which provided opportunities for a wide range of stakeholders to have input into planning that would directly impact the future of Agnews, its residents, and their families.

A key focus of the planning process was to expand the capacity of the Bay Area to provide a range of services and supports for persons who live at Agnews and in the Bay Area. Unlike other developmental center closures, where developmental center residents came from locations throughout the State, Agnews' population overwhelmingly comes from the Bay Area itself, as do the residents' families. The Department and stakeholders did not want to replicate the Stockton and Camarillo closures where a majority of residents moved to other developmental centers in other parts of the State.

The Department's goal is to provide a range of Bay Area service options that can meet the complex needs of the persons who currently reside at Agnews so that each person has a meaningful community option.

THE BAY AREA PROJECT PLANNING PROCESS

The Bay Area Project planning process was designed to provide all interested stakeholders the opportunity to participate. The primary tasks of the Bay Area Project were to assure the quality of ongoing services at Agnews and to develop a plan for the closure of Agnews. Three levels of planning groups were created.

The Bay Area Project Steering Committee

The Steering Committee was established to assure communication among the directors of each of the three involved regional centers (San Andreas Regional Center [SARC], Regional Center of the East Bay [RCEB], and Golden Gate Regional Center [GGRC]), Agnews, and the Department. This committee met on a regular basis to coordinate and support the planning process. Paul Carleton, former Chief Deputy Director of the Department, was appointed as the Director of the Bay Area Project. He established and chaired the Steering Committee.

The Advisory Committee On the Proposed Closure of Agnews

The Advisory Committee was created to ensure that all interested stakeholders were able to participate in the planning process. This Advisory Committee had representation from a wide range of stakeholders including residents of Agnews and the local community, parents and family members, advocates, state and local legislative representatives, parent organizations, labor organizations, area boards, regional centers, the State Council on Developmental Disabilities, Protection & Advocacy, Inc., and community service providers (Attachment 2). The Advisory Committee met three times and received and reviewed reports and recommendations from each of the planning teams to develop recommendations on specific areas of concern. At the first meeting of the Advisory Committee (February 22, 2003), members were introduced to the purpose and structure of the Bay Area Project, provided an overview of Agnews, and discussed a work plan to accomplish the development of the Agnews Closure Plan. Following these discussions, all present (members and audience) were invited to join any of the six identified planning teams. Most Advisory Committee members participated on one or more of the planning teams.

Six Planning Teams

The six individual planning teams focused on specific issues. They were Business Management, Communications, Futures Planning Team Process, Quality Services, Staff Support, and Community Development. Membership on these teams (Attachment 3) included persons who expressed an interest—based upon their expertise and/or whose personal areas of interest or expertise would be beneficial to the team.

Team membership remained open throughout the process, and like the Advisory Committee, every effort was made to keep the process open and inclusive. There were over 200 members actively involved; some people participated on more than one team. First and foremost for each team was the task of developing the guiding principles or core values for their team. These principles were utilized and referenced throughout the ensuing planning process.

Guiding Principles

An initial step for the Project was to establish overall guiding principles that would lead and direct each of the work teams. Those guiding principles established by the Steering Committee are as follows:

- **Build Quality Into Every Option From the Beginning:** We have made a promise to the people that we serve. We will keep that promise today, and tomorrow. The future that we develop will be individualized, comprehensive, and reliable. The State will be an active and ongoing partner in making it happen.
- **Do It Right the First Time:** We will plan and develop a range of options one person at a time. The Interdisciplinary Team (IDT) will review each living alternative to assure that the option selected is consistent with the person's needs, preferences, and priorities.
- **Pay For It Once:** We will develop a stable range of services that are responsive to the needs of the people who live at Agnews and that will be an ongoing resource to Californians who require developmental services. We will find ways to establish secure settings that are dedicated to developmental services.

As each group focused on a particular issue, the groups produced products that varied in format and emphasis. Therefore, the final Bay Area Project report includes the recommendations and barriers from each team. The overall assignment for each of the planning teams was as follows:

- **Business Management:** This team was designed to assure that the operation of Agnews remained cost-effective during the transition period and to identify all of the operational and procedural issues that would have to be considered in a closure. These issues include facility operations, construction projects, fiscal management and space utilization. Transitional activities include space utilization, and managing human and fiscal resources. The other major activity of this team was to identify the issues and steps that would need to be completed prior to a planned closure. This covered a myriad of topics such as consumer movement, record storage, physical plant accommodations, and the ongoing consolidation within the facility as the census declines.
- **Communications:** This team was charged with designing and implementing strategies to assure consumers, families, staff, legislators and other stakeholders were kept informed of the plan's progress. Additionally this team was responsible for assuring all interested parties were apprised of pertinent legislation and had opportunities for input. This process allowed for input from consumers, advocates, families, legislators, and service providers. The Department initiated a website specifically designed to keep people informed of the Bay Area Project planning process. This website was routinely updated with information as the progress from each team unfolded, including team membership, meeting schedules, and focused areas of concern. The website also allowed the opportunity for questions and answers. These questions, with the corresponding answer from the Department, were posted and available through this website.
- **Futures Planning Team Process:** This team was established to evaluate and monitor the person-centered planning process to assure that it results in the identification of a preferred future for each person residing at Agnews. The team began with identifying a two-phase "assessment" process that provided a database of information on the "needs" of each person (see Attachment 4). These data covered a wide range of information, including needs related to health and medical services, self-care, behavioral supports, special equipment, and adaptations that would be needed in the environment to ensure the safety and satisfaction of each consumer. The second phase of this process was to initiate communication with the consumer, family members, and other interested people in determining options and choices for community living should Agnews be closed. These data provided an initial foundation for the planning done by the Community Development Team.
- **Quality Services:** This team was designed to assure that Agnews continues to provide services consistent with each person's needs, even under the transition to closure. The team developed a system to monitor the services being provided to each resident at Agnews. The initial task was to develop outcome indicators for those aspects of resident care identified as critical for consumer health and safety and/or for the ongoing certification of the facility. After determining these aspects of care, the committee then established a performance range that was based on facility performance prior to the initiation of the Bay Area Project. This information is collected on a monthly basis. If there is a variance in performance, then it is analyzed and recommendations are developed. The data and corresponding recommendations are reported to, and reviewed by, the Agnews Executive Committee (Attachment 5).

- **Staff Support:** This team was responsible for assuring the provision of staff support systems during the transition process. This team was also responsible for identifying the supports and resources needed by Agnews' employees to assist them in the development of personal plans for future employment opportunities. An initial concern of this committee was to determine the supports needed to retain employees at the facility and minimize a potential exodus of large numbers of staff. Participation of a wide variety of staff from all segments of the organization allowed this team to hear and address diverse concerns from throughout the facility. Some of the ideas generated included informing staff of other developmental centers' success with closures, consideration of hiring part-time staff in the programs, building staff self-esteem and confidence through training sessions, assuring staff understand that the closure was in the proposal phase, and developing morale-boosting activities that would encourage more camaraderie among the staff as the pending closure moved forward.
- **Community Development:** This team was charged with coordinating the development of services and supports that would be responsive to the needs of Agnews' residents transitioning into community services. The initial planning of this team identified four primary workgroups that would develop recommendations and implementation plans. The four workgroups were identified as: (1) Housing; (2) Service Hubs; (3) Support Services; and (4) Quality Assurance. This team met on a monthly basis to provide an update to all members regarding the ongoing activities, working recommendations, and ideas from each workgroup. These meetings also afforded team members who were not part of the four workgroups the opportunity to ask questions, clarify issues, and identify any recommendations for the workgroups to consider. Each of the four workgroups submitted their reports to the team at which point all information was compiled into one summary document.

Final Planning Team Reports

By October 1, 2003, the six teams had completed their reports (see Attachment 11). In addition, Keep Our Families Together (KOFT)—a coalition of families, employees, and advocates—submitted a proposal to the Department that addressed their solution for the closure of Agnews. The Bay Area Project planning team reports, along with the KOFT proposal, were made available to the public and were presented to the Advisory Committee on the Proposed Closure of Agnews on November 22, 2003. At this meeting, Advisory Committee members and audience were given the opportunity to seek clarification of the information contained in the reports through a question and answer process.

Public Hearing

Pursuant to Welfare and Institutions Code, section 4474.1 (see Attachment 1), the Department held a public hearing on December 13, 2003. The Advisory Committee members along with the general public were invited to provide testimony. The Department requested public comment on all planning team recommendations; however, the Department was particularly interested in hearing comments specifically on four significant policy issues:

- Use of Agnews' Land;
- Funding for Housing;
- Use of State Staff in Community Settings; and
- Improvements to Quality Assurance.

The public was also invited to provide comment on the October 2003 proposal submitted by KOFT offering an alternative solution for the closure of Agnews.

Over 60 stakeholders provided testimony at the hearing and written input was accepted. The comments received were compiled and reviewed before the development of this plan. This information is summarized in Chapter IX.

III.

CURRENT RESIDENTS OF AGNEWS

LEVEL OF CARE

Agnews provided three levels of care to 376 people that reside at the facility, as of June 30, 2004. The first level of care is provided in the Nursing Facility (NF) residences in which approximately two-fifths of Agnews' residents live. The second level of care is provided in the Intermediate Care Facility (ICF) residences, which are home to the remaining three-fifths of the consumers. Both the NF and the ICF residences provide 24-hour residential services. The third level of care is offered in Acute Services where short-term medical and nursing care is provided to residents when an acute condition occurs (see Attachment 6).

Agnews' campus includes four residential buildings. There are a total of 19 residences within these four buildings, with an average census of approximately 20 residents each. The majority of residents have lived at Agnews for many years; over 55 percent have lived at Agnews for more than 20 years.

HOME COMMUNITIES

Agnews is primarily a resource to the South, East and North Bay Areas. Over 90 percent of the persons who reside at Agnews are served by one of the three Bay Area regional centers. SARC serves 52 percent of the Agnews' population, RCEB serves 22 percent, GGRC serves 17 percent and other regional centers serve 9 percent (Attachment 7). The families of most Agnews' consumers also live in the Bay Area.

In recent discussions with Agnews' residents and their families, almost two-thirds of the persons interviewed identified location as an important consideration for future planning, with the Bay Area as their location of choice.

DEMOGRAPHIC CHARACTERISTICS

The demographic characteristics of the men and women residing at Agnews are presented in Attachment 6. A brief summary follows:

Age

Agnews' population is aging, with 65 percent of the residents over age 40. People who are 65 years or older make up 8 percent of the population. In contrast, there are virtually no children at Agnews: less than 1.4 percent, or only 5 residents, are under the age of 18.

Gender and Ethnicity

Agnews' resident population is diverse in both gender and ethnicity. Over 63 percent of the population is male. Seventy-five (75) percent is Caucasian, with the remaining persons representing other ethnic groups including Hispanic (13 percent), African American (6 percent), Asian and Pacific Islands (2 percent) and other (5 percent).

Developmental Disability

Section 4512 of the Lanterman Developmental Disabilities Services Act defines developmental disability as a:

“[d]isability which originates before an individual attains age 18, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. . . [T]his term shall include mental retardation, cerebral palsy, epilepsy, and autism. . . [and other] conditions found to be closely related to mental retardation or require treatment similar to that required for mentally retarded individuals, but shall not include other handicapping conditions that are solely physical in nature.”

Seventy nine (79) percent of the persons who reside at Agnews have severe/profound mental retardation, with more than 62 percent having profound retardation. The majority of persons have more than one developmental disability. Approximately 57 percent of the population have epilepsy, 53 percent have cerebral palsy, and 13 percent have autism. In addition, over one-third of the residents also have a diagnosed mental disorder, and over one-fourth of the population requires medication for psychiatric and/or behavioral supports.

PRIMARY SERVICE NEEDS

There are five primary service needs for persons who reside at Agnews as identified through the futures planning team process completed in 2003.

- **Significant Health Needs:** This need includes people who require intermittent pressure breathing, inhalation assistive devices, or tracheotomy care, and persons with recurrent pneumonias or apnea. Significant nursing intervention and monitoring are required to effectively treat these individuals. Fourteen (14) percent of the residents have significant health needs.
- **Extensive Personal Care:** This need refers to people who are non-ambulatory, require total assistance and care, and/or receive enteral (tube) feeding. Forty-two (42) percent of the population requires extensive personal care.
- **Significant Behavioral Issues:** This need addresses those people who have significant aggression issues that may require intervention for the safety of themselves or others. Approximately 23 percent of the residents are persons with significant behavioral issues.
- **Protection and Safety:** This need refers to those individuals who need a highly structured setting because of a lack of safety awareness, a pattern of self-abusive behaviors and/or inappropriate expression of social behavior. These consumers require constant supervision and ongoing intervention to prevent self-injury and/or stigmatization. About 19 percent of the persons residing at Agnews require this structure and service need.
- **Low Structured Setting:** This service need addresses those consumers who require minimal supervision and support. Approximately two percent of the population is in this category.

The needs of the persons who reside at Agnews are similar to other developmental center residents. The major difference is that a greater percentage of the persons at Agnews have significant health needs and/or require extensive assistance with personal care, and a smaller percentage has significant behavioral issues.

AGNEWS' RESIDENTS AND FAMILY PREFERENCES

The vast majority of the persons who reside at Agnews and their families have significant concerns regarding the proposed closure of Agnews. As a part of the futures planning team process, each person was asked to consider his or her preferences and priorities if Agnews were to close. Based upon these interviews, the following information was obtained:

- About 15 percent are unwilling to consider any alternative other than a large state facility.
- Almost one-half are open to considering an alternative, but have reservations regarding the existing community service system.
- Over one-third are willing to consider an existing community option that will provide the necessary services and supports for that individual.
- Major priorities consistently identified throughout these interviews included family, stability, safety, medical services, maintaining a sense of community, and continuity of staffing.

During the futures planning team process, the priorities of consumers and their families became clear. Their highest priorities were:

- **Access to Medical Services:** This area specifically addresses the need for prompt and available access to medical and other ancillary services in the local community. This need was identified as a major priority for 43 percent of those people willing to consider community services.
- **Work and Day Program:** This area encompasses those interested in assuring there will be purposeful and available day programs as well as paid work in the community. Forty-four (44) percent of those interviewed indicated a priority in having a day program available, with another 21 percent emphasizing the need for a work program. This places the need for available program options as a priority for almost two-thirds (64 percent) of those interested in community services.
- **Sense of Community:** Agnews currently provides a myriad of activities, services and supports for residents and their families. Many of the families, friends and consumers have known each other throughout their years of living at Agnews. In addition, there are readily available activities, religious services, a local cafeteria, and recreation and leisure activities on both a drop-in and special-events basis, that afford residents and family members the opportunity to participate as they choose. This area was important to a total of 43 percent of the people interviewed.
- **Family, Safety, and Continuity of Staff:** The last areas highlighted were the needs for family, safety, and the continuity of staff. The priority of "family" refers to those individuals who have a regular and established relationship with their families and want to be sure that they will continue to be close when they move. The "safety" category emphasized the ability of consumers to move about freely in their environment and to be safe in doing so. The last area is "continuity of staff." A

combination of the years of service and the expertise provided by staff has assisted in building relationships for the families and consumers as well as assuring the health and safety of the consumers. Each of these three areas was given a priority rating by 36 percent of the respondents.

- **Additional Areas Noted As Priority:**

- **Stability of Services**—To assure the services and service providers will be there in the long term (26 percent);
- **Social Activities and Contacts**—The availability of leisure, religious, and/or special-event opportunities with peers (29 percent); and
- **Environments That Would Allow for Delayed Egress**—The development of living arrangements for those individuals who are at risk of running away and who have limited or no hazard awareness (5 percent).

IV. PLAN FOR CURRENT RESIDENTS WHEN AGNEWS CLOSES

A comprehensive closure plan must reflect the delivery of the highest quality service throughout the Bay Area. Three elements are essential for current residents of Agnews to enjoy healthy, safe, and fulfilling lives in the community:

- ***Individualized Planning***
- ***Resource Development, Individualized and Community-wide***
- ***Quality Assurance***

Integral to each of these is using current Agnews' staff as a resource to regional center staff, community providers, and individuals moving into the community.

INDIVIDUALIZED PLANNING

Individual Program Planning

An Individual Program Plan (IPP) is mandated in the Lanterman Developmental Disabilities Services Act for all persons served through the regional center system. Each individual's planning team meets annually or as otherwise needed to jointly prepare the IPP. The planning team, which includes the individual, the regional center service coordinator, and, as appropriate, his or her legally authorized representative and family or advocates, identifies the individual's goals, objectives and services and supports required based upon the individual's needs, preferences and choices. Additional persons, including but not limited to, providers of services and supports, doctors, nurses, and/or psychologists, may be on the team as indicated by the individual.

The process for development of the IPP includes an assessment of each individual's strengths, needs, preferences, and life choices. The IPP includes a statement of goals and objectives to meet the individual's needs and maximize opportunities for participation in community life in the areas of housing, work, school and leisure. The IPP identifies services and supports to implement the plan and a schedule for review and re-evaluation of those services. Services and supports are to be purchased by the regional center, or obtained from generic or other resources, to achieve individual goals and objectives.

The IPP is available for review and revision at any time as the individual's needs and/or interests change. As changes occur, the planning team will reconvene to discuss changes, identify any needed adjustments in services and supports, and make necessary changes to the written IPP.

As individuals living in a developmental center are identified for possible movement to the community, the regional centers, developmental centers, and regional resource development projects (RRDP) will coordinate their activities in identifying individual goals, objectives, and preferences, identifying needed services and supports, developing the IPP and planning for transition (Welfare and Institutions Code, section 4418.3). An individual planning meeting will be held to initiate this process. Participants will include the individual, legally authorized representative, family or

advocates, the regional center service coordinator, developmental center program coordinator, and other staff knowledgeable about the service and support needs of the individual.

Beginning in FY 2002-2003, Agnews and Bay Area regional center staff began working with Agnews' residents and family members on planning. The *futures planning team process* has provided the Bay Area regional centers with valuable information on the types of services and supports needed to support Agnews' residents who will move into the community. Equally important, the planning sessions identified a sequence of events that must happen before, during, and after an individual moves into the community.

Individual Transition Planning

The IPP process for each Agnews resident will involve intensive person-centered planning. Each individual will be involved in meetings to discuss community living options and to plan for needed services and supports. In addition to the individual, all planning meetings will involve his or her family or advocates and staff familiar with the individual.

The placement planning process begins with the individual and the planning team identifying the services and supports that are essential in the individual's life. When a community service is identified that can meet the individual's needs and interests, an assessment and evaluation process is initiated to determine the viability of the proposed option. This process generally consists of the following, with some adaptations depending upon the type of living arrangements; e.g., supported living services:

- **Home Visit:** Once a residential option is identified, members of the Bay Area RRDP, along with members of the individual's planning team, including the individual, legally authorized representative, family, and regional center service coordinator, will organize a visit to the home. The purpose of this visit is to determine if the potential home can meet the needs of the individual.
- **Vendor Evaluation:** If this visit is successful, and all agree the home can meet the individual's needs, a meeting will be planned between the potential vendor and the individual. This is referred to as the Vendor Evaluation and includes a face-to-face meeting between the vendor and individual along with a review of the individual's needs by the planning team with the vendor.
- **Individual Home Visit:** Following the vendor evaluation, a visit to the home will be scheduled for the individual. This visit provides the individual with the opportunity to tour the home, meet other individuals living in the home, and meet the staff. This can be more than one visit depending on the individual and his/her interests.
- **Community Living Options:** Next, a Community Living Options (CLO) meeting will be held. At this meeting the planning team will review all of the identified services and supports, determine the need for additional supports or provider training, discuss the potential home, and develop a transition plan for the individual to move into the home.
- **Transition Plan:** Once the IPP is completed, and no less than 15 days prior to the move, a transition planning meeting will be held. Participants in the transition planning meeting will include the individual and other members of the IPP planning team, staff familiar with the individual, and each primary service and support provider identified in the IPP. The purpose of this planning meeting is to develop an

Individual Transition Plan (ITP) to ensure a successful transition from the developmental center to the community. This plan will include specific information regarding the future visits that will be needed to both the home (may be overnight) and day program to assist the individual in feeling comfortable with the move. In addition, this plan will include identification of any services the home/vendor will need in assuring a safe transition (for example, staff training, adaptive equipment, etc.) and who will provide them. Finally, based upon consideration of all of the above, the ITP will establish a projected date for the individual's move.

RESOURCE DEVELOPMENT: INDIVIDUAL AND COMMUNITY-WIDE

The closure of Agnews means that each person currently living at Agnews should be provided the opportunity to move to a community setting close to his or her family. Therefore, the characteristics of the people who reside at Agnews, and of the communities in which their families live, are keys in determining the array of needed community-based services and supports. Through the *futures planning team* process, Bay Area regional centers were able to identify the services and supports needed by each individual, including, but not limited to, living options, day services, health care services and other supports. The focus of this plan is on community resource development efforts that reflect: establishment of a permanent Bay Area housing stock; development of new residential models; and, assurance of health care services.

Establishment of Permanent Housing Stock

The Bay Area has the most expensive housing market in California.¹ This fact affects the Bay Area regional centers' ability to provide residential services for individuals residing at Agnews as it is difficult for some new providers to enter the housing market. In order to address the housing needs of Agnews' residents, the Department will implement two critical recommendations of The Bay Area Project Community Development planning team:

- *Establish a permanent stock of housing (i.e., housing owned by a non-profit housing development corporation (housing coalition)) dedicated to serve individuals with developmental disabilities; and*
- *Separate ownership of the housing from provision of the services and supports to ensure that when a residential provider leaves, the individuals do not have to move.*

Assembly Bill 2100 (Steinberg and Richman, Chapter 831, Statutes of 2004), sponsored by the Administration, passed with bipartisan support by the Legislature, and signed by the Governor, responds to the above recommendations. The statute authorizes the Department to approve a proposal or proposals from the three Bay Area regional centers to provide for, secure, and assure the payment of leases (based upon level of occupancy) for housing for people with developmental disabilities.

Assembly Bill 2100 envisioned implementation of a lease/purchase/donate model for housing development. The following provides an overview of the law's provisions and of the model.

The three Bay Area regional centers will submit a proposal(s) to the Department that details the proposed ownership entity of the property or properties, management

¹ Median price of housing in Santa Clara County, for example, is projected to rise 13 percent in 2004; median priced home is \$560,000 (California Association of Realtors, April 2004).

entities, and developer or development entities. The proposal(s) must meet all of the following conditions:

- The acquired or developed real property must be occupied by individuals eligible for regional center services;
- The property must be integrated with housing for people without disabilities;
- The regional center has approved the proposed ownership, management, and developer entities;
- Costs associated with the proposal are reasonable; and,
- The proposal includes a plan for transfer at a time certain of the property ownership to an approved nonprofit entity.

The housing developed under this model will be available for lease by providers of community-based living options. Each provider will negotiate a rate with the regional center that includes the ongoing lease payment. The ownership of the property will continue to rest with the ownership entity approved under the regional centers plan. This differs from existing residential models in that the ownership of the property rests with the provider; and as such, the public tax dollar “buys” the property (facility) forever.

In this new model, once the housing mortgage is paid in full, the provider’s lease payment ceases and the rate will be renegotiated accordingly. The property will be transferred to an approved nonprofit entity for continuous use by regional center eligible individuals. The public tax dollar is used to purchase the housing once and an inventory of stable community housing designed to meet the special needs of individuals with developmental disabilities is created.

New Residential Models

Closely tied to the development of new housing is the need to expand community-based residential options to adequately serve Agnews residents with special health care needs and challenging behaviors. Current community residential options include Department of Social Services (DSS) community care licensed facilities; Department of Health Services (DHS) health licensed facilities; Supported Living Services (SLS), and Adult Family Home Agencies (AFHA). SLS and AFHAs are contracted with and monitored by the regional centers. Additionally, AFHAs are reviewed and monitored by the Department.

Over one-half of the current residents of Agnews are excluded from traditional DSS licensed facilities because of their needs for medical care and/or intensive personal assistance. Further, DHS facility licensing categories do not provide alternatives for many Agnews residents for both programmatic and fiscal reasons as follows:

- DHS-licensed facilities do not allow for enhanced programming to meet consumer needs nor are they billable to the Home and Community-based Services Waiver (Waiver).
- DHS-licensed facilities do not capture all available federal participation in the cost of care, particularly for ancillary services provided by the regional center. In FY 2003-2004, the General Fund paid for 57 percent of the total cost for individuals moved from a developmental center into an ICF-DD-N and 70 percent of the cost for an ICF-DD-H. In community care licensed facilities, the General Fund share was approximately 48 percent.

- The Congregate Living Health Facility (CLHF) model, another DHS licensed option, is not feasible because it is not certified for Medi-Cal reimbursement and, therefore, not billable to the Waiver.
- The ICF-DD-CN is a small pilot and not yet evaluated and approved for expansion, nor is it Waiver billable.

To address these issues, the Department will:

- **Establish a pilot project for adults with special health care and intensive support needs.** In 1989, Assemblymember Tom Bates authored legislation to establish a licensing and service model for children with special health care needs. This model of service delivery has proven valuable in providing home-like living arrangements for children with health care needs who previously had to be served in more restrictive and less-desirable settings. The proposed pilot project will extend the opportunity for adults with developmental disabilities who have special health care and intensive support needs to live safely in small, community-based programs. Key features of this proposed pilot project are as follows:
 - Residential services for up to a total of 120 adults, with no more than five adults in each facility.
 - Limited to current Agnews Developmental Center residents.
 - Only three regional centers involved: San Andreas Regional Center, Golden Gate Regional Center, and Regional Center of the East Bay.
 - Facility staffing requirements includes licensed nursing staff² awake and on duty 24 hours per day, seven days per week.
 - Facilities licensed and monitored by the State Department of Social Services.
 - Prior to licensure, the Department of Developmental Services must issue a facility program certification.
 - Department of Developmental Services' monitoring of regional centers' compliance with requirements of the pilot project, including facility on-site visits by Department of Developmental Services' staff at least every six months.
 - For each consumer, development of an Individual Health Care Plan by an Individual Health Care Plan Team that is updated at least every six months.
 - At least monthly face-to-face visits with the consumer by a regional center registered nurse who will be the assigned service coordinator.
 - Multi-year evaluation of the project by an independent agency or organization.
 - Independent contractor's report on the pilot project to be submitted to the Legislature by January 1, 2009.
- **Expand the AFHA Model to include the 'Family Teaching Model.'** AB 2100 also amended the Welfare and Institutions Code to add *family teaching homes* to the existing Adult Family Home Agency model. Family teaching homes will serve up to

² Registered Nurse, Vocational Nurse, and Psychiatric Technician

three adults and the family's home and the individual's home may be a *duplex or adjoining homes*. The associated Health and Safety Code was also amended to conform.

The AFHA was established in 1994 to provide a new cost-effective living option for adults moving from developmental centers into the community. It is a living option that enables adults to enter into partnerships with families as fully participating family members. The regional center contracts with the AFHA to recruit and train families, certify family homes, match individuals and families, provide ongoing support to families, and monitor family homes. Both the AFHA and family homes are exempt from licensure. The family home provides a living arrangement in which up to two individuals live with a family in their private home as fully participating family members. The individual receives supports and services from the family, AFHA, and regional center according to his or her needs. Regional center staff visits the family home at least quarterly and evaluates the AFHA annually. Department staff periodically evaluate program implementation by the regional center and AFHA. This program has been extremely successful.

The family teaching home model differs from the current family home model in three respects. First, the individuals and family do not share the same private home. The teaching family lives in a home adjoining the home of the individuals. Typically, the home is a duplex. Second, the family teaching home is designed to support up to three adults with developmental disabilities. The teaching family manages the individuals' home, provides direct support, and directly supervises relief staff. The teaching family is certified and trained by the AFHA. The teaching family continues to receive additional training throughout the year and must have their certification renewed annually. Third, the family home agency provides wraparound services including, but not limited to, work and day program supports.

The family teaching home model is certified, monitored, and evaluated by the regional center and the Department through the same process as an AFHA.

Health Services

Through four mechanisms, the Bay Area regional centers will assure the availability, quality, and stability of health care services as follows:

- First, the regional centers will enhance medical case management and other needed specialized services. Negotiations are currently underway wherein regional centers would purchase a medical care policy to supplement Medi-Cal from a regional health maintenance organization.
- Second, on a temporary basis through June 30, 2009, the Department will deploy up to 200 of Agnews' employees in community settings. Staff will be used to resolve crises, provide direct care staffing, train and provide technical assistance to new providers, collaborate with regional centers on enhanced quality assurance initiatives, and, as a last resort, directly operate a residential facility until such time as a private provider can be located. Agnews' employees will include a cadre of doctors, nurses, and other health care professionals who, in addition to the activities listed above, will be available to provide clinical services and supports that may be otherwise unavailable in the community. (More detailed information on deploying Agnews' employees in the community is provided in the next section.)
- Third, in collaboration with DSS, the Department will establish an innovative residential approach for up to 120 adults with special health care needs. Individuals

served will receive continuous 24-hour health care and intensive individualized support. This new option will enable regional centers to tailor the staffing in the home according to the needs of the individuals living in the home. The regional center service coordinator monitoring services and supports to each individual living in their home will be required to be licensed as either a registered nurse, vocational nurse, or psychiatric technician. The regional center service coordinator will conduct face-to-face monitoring visits for a caseload of 25 individuals.

- Fourth, to increase access to oral health services for Agnews' consumers, the Department proposes to implement a proven service delivery system with Dental Coordinators (dental hygienists) at each of the Bay Area regional centers. Dental Coordinators at each regional center will:
 - Link consumers and their caregivers to dental resources within their communities.
 - Provide assessment, triage, referral and tracking of individuals served.
 - Consult with, and offer technical assistance to, dental providers, many of whom may be serving regional center consumers for the first time.
 - Develop community resources and dental services for consumers.
 - Promote preventive services through on-going education and training for families, caregivers, service coordinators, dental and other health professionals and consumers themselves.

Regional centers will be reimbursed by the Federal Government for up to 75 percent of costs associated with the implementation Dental Coordinators proposed via the HCBS Waiver under the category of "Specialized Therapeutic Services."

STATE EMPLOYEES

The individuals currently residing at Agnews are distinguished from persons in other developmental centers by their age, length of residency at Agnews, service needs, family involvement, and location. A substantial proportion of Agnews' residents have significant health needs and/or require extensive assistance with personal care. Another group of Agnews' individuals has significant behavioral issues requiring specialized services and supports.

As a result of these specialized needs, and in an effort to meet the needs of these Agnews residents as they transition into community services, the Department proposes the continued use of some of Agnews' employees to augment and enhance the services that will be needed for moving into the community.

Using developmental center staff to facilitate transition to the community is invaluable because:

- Developmental center staff have long-term relationships with the individuals. This decreases the potential for individuals' health and safety being at risk. Developmental center staff are licensed, know the individuals, and are better prepared to be responsive to their needs.
- Service continuity is assured when state employees assist in training community direct support workers.

- The majority of Agnews' residents have significant medical/personal care/behavioral challenges. Developmental center staff have specialized knowledge, skills, and abilities and can provide critical training and technical assistance to community providers.
- Over one-half of the family members who are conservators of Agnews' residents are willing to consider community settings but are deeply concerned about existing options. Through the use of state employees in the community, developmental center parents who are conservators of their adult sons and daughters can be reassured of the State's commitment to health and well-being.

The Department will propose legislation that provides statutory authority for the Department to directly provide services in the community. As of June 30, 2004, there were 1,308 Agnews employees. On a temporary basis, the Department will propose to deploy up to 200 of these employees in community settings. Staff will be used to resolve crises, provide direct care, train and provide technical assistance to new providers, collaborate with regional centers on enhanced quality assurance initiatives, and, as a last resort, directly operate a residential facility until such time as a private provider can be located.

Organizational Structure

The Department operates several Regional Resource Development Projects (RRDP), including one at Agnews (Regional Project of the Bay Area). Consistent with the closure of Stockton and Camarillo, the Regional Project of the Bay Area will remain when Agnews is closed. The Regional Project of the Bay Area will be the centralized headquarters for state employees deployed in the community, as a result of the proposed legislation.

Service Structure

Under direct supervision of state employees headquartered at the RRDP, staff will be deployed to provide:

- **Direct Support Services.** State employees will be available to serve as direct care staff and provide support services, such as an individual psychological consultation, to providers and individuals. Staff will be deployed according to a contract between the developmental center and either regional centers or providers who are vendorized by regional centers and are receiving purchase of service funding for the provision of services identified in an individual plan, as appropriate.

As a last resort, and until a qualified private provider is available, state employees may directly operate specialized residential facilities. In these instances, the facility will be leased from a third party and state employees will directly operate the residential program. The State will be reimbursed for service costs from the regional center. The service cost will qualify for federal reimbursement under the Waiver.

- **Quality Assurance and Crisis Management.** Current RRDP staff will maintain their statutory responsibilities regarding deflection of developmental center admission, assessment, and follow-up quality assurance visits. Additional Agnews' employees will be assigned to the RRDP and, under contract, will assist regional centers with in-depth quality assurance and remediation efforts.

Clinical state employees, also under contract with either regional centers or providers who are vendorized by regional centers and are receiving purchase of service funding for the provision of services identified in an individual program plan,

will consult with private providers and family members and provide behavioral, medical, and dental consultation, training, and technical assistance. State employees will be available to provide crisis management support, training, and technical assistance. Crisis management support will be provided to residential providers and families. The availability of a stable and sophisticated crisis management team is of critical importance to the health and safety of individuals moving into the community from Agnews.

- **Adaptive Equipment Design and Fabrication.** Certain of the 200 state employees will design and fabricate adaptive equipment needed to assist residents moving to the community. Many individuals currently residing at Agnews have specially designed and fabricated adaptive equipment that will need modification and/or repair after transition to the community.

Transition to Private Sector Employment

Agnews' staff will play a vital role in the transition of residents from Agnews to the Bay Area community. Their ongoing participation is essential to assure continuity of services and to address the concerns of the families who have come to trust the staff with the care of their sons and daughters. A strategy that provides a meaningful path for current staff to continue their provision of developmental services and includes a plan to transition these staff from state to private employment has been developed.

State employees will be deployed in the community through June 2009. This proposal includes a transition plan that takes into consideration the human resource issues that will need resolution such as, job specifications, the Public Employees Retirement System, and labor relations. The transition plan foresees the involvement of the State Personnel Board (job specifications), Department of Personnel Administration (DPA), Public Employees Retirement System, and employee organizations. Effecting the transition will require amendment of laws affecting the relationship between current and former state employees, the State, and prospective employers.

These state employees will augment and complement private service providers. They will be employed in parts of the Bay Area where the types of services they can provide are most needed by former Agnews' residents.

QUALITY MANAGEMENT SYSTEM

The QM system under development establishes expectations and indicators of performance. It also establishes the professional human resources who will partner with providers in developing and implementing strategies to provide high quality services. State employees, regional center staff, and providers will share responsibility in assuring identified outcomes are met while providing and accessing resources to make community living successful.

New Quality Management (QM) Model

The Department submitted a proposal to the CMS for a grant to implement the new QM model in the Bay Area.³ The grant was approved and the Department and the Bay Area regional centers are currently implementing the actions specified in the grant. This proposal was designed to focus on the people currently residing at Agnews, emphasizing the "person by person" model as each individual begins his or her

³ Real Choice Systems Change Grant for Community Living, Demonstration and Research Grants: Quality Assurance and Quality Improvement in Home and Community-Based Services. The grant is known locally as the Bay Area Quality Enhancement Initiative. October 2003—September 2006. \$499,844.

transition into new living arrangements. The focus of this system will be on assuring that quality services and supports are available prior to, during, and after transition of each person leaving Agnews.

The QM system is based upon the CMS HCBS Quality Framework with enhancements that address California's unique service delivery system. The Framework incorporates seven focus areas for review, of which six have or are being developed for use with the Bay Area Project.

The specific components of the QM system include:

- **Performance Expectations, Indicators, and Measures:** Performance expectations for service providers and indicators of that performance are being developed and the indicators will be measured using various sources of data. Quality indicators are being developed based on existing national models and upon the Department's own Service Delivery Reform work.
- **Individual Satisfaction Measures:** The grant will analyze measures of individual satisfaction currently used across the country and determine the satisfaction dimensions and measures that will be most appropriate in California.
- **Databases That Provide Information on Achievement of Performance Indicators:** These databases will include existing Department and regional center systems, the new regional center billing and information system (CADDIS) that is currently under development, and the proposed new system to measure individual satisfaction. Analyses of these data will be accessible at both regional center and Department levels. This system will be used to identify areas in which interventions and improvement efforts need to be taken. For example, the indicators will serve to delineate areas in which state employees can be used to provide consultation, training, technical assistance or direct interventions.
- **QM Review Commission:** A local level commission, consisting of regional center and Agnews staff, providers, family members, and other stakeholders, will be established to review performance data relevant to local concerns. This commission will make recommendations for further inquiry and/or improvement to the regional centers.

Regional center quality management activities will be supplemented by using a small number of state employees to assist the regional centers with in-depth quality assurance.

Follow-up to Ensure Service Adequacy

The RRDP also provides a core quality assurance function. Follow-up visits with the individual are regularly scheduled as established in law and also are provided as is necessary, depending on whether the individual's service needs change after moving. After the individual has moved to his or her new home, the regional project, in coordination with the regional center, completes a number of face-to-face visits with the individual. These visits are scheduled to occur at specified intervals following the move, including 5 days, 30 days, 6 months, and 12 months. In addition, the regional center conducts a face-to-face visit every 30 days for the first 90 days after the move and quarterly thereafter. Additional visits, supports, and training are provided to the individual and/or the service provider on an as-needed basis.

ROLE OF COMMUNITY PLACEMENT PLAN (CPP) IN AGNEWS CLOSURE

The Bay Area regional centers continue to move forward with the individualized planning and resource development and the activities authorized in their CPP pursuant to Welfare and Institutions Code, section 4418.25. The groundwork for regional center collaboration was laid in FY 2003-2004 when the Department approved the first Unified Community Placement Plan (Unified Plan) proposal. Additional activities will take place in FYs 2004-2005, 2005-2006 and 2006-2007 through updated Unified Plans that reflect the funding needed to continue and expand individualized planning, resource development, and quality assurance activities.

The goal of the Department for the CPP is to enhance the capacity of the community service delivery system so that individuals with developmental disabilities are afforded the opportunity to live in the least restrictive living arrangement appropriate to their needs. Developing community capacity through the CPP process provides the necessary individualized funding of resources needed by individuals to move from developmental centers. CPP encompasses the full breadth of resource needs including, but not limited to, development of both residential and day services.

The CPP process involves careful planning and collaborative efforts of the Department, Agnews, the Bay Area regional centers, and the Bay Area Regional Project. Department staff will be designated to facilitate the coordination efforts of regional centers, developmental centers, and RRDPs. The Bay Area regional centers will coordinate with Agnews and regional project staff in assessments, development of IPPs, planning, and transition to the community for individuals. Bay Area regional centers will also ensure needed services and supports are in place at the time each individual moves to the community. Agnews staff will initiate planning meetings and participate in these meetings by sending developmental center staff knowledgeable about the service and support needs of the individual to the planning team meeting. RRDP staff will participate in transition conferences and provide follow-up reviews and services.

STATUTORY AUTHORITY TO IMPLEMENT PLAN

The Department anticipates that the following statutory authority will be needed to implement the initiatives contained within this closure plan:

- Creation of a new licensing option for adults with special health care needs.
- Amendment to the Welfare and Institutions Code, Government Code and Public Contract Code to clearly identify the conditions under which state employees can be deployed in community settings and to limit the liability to the State when state employees are temporarily deployed in community settings.

V. **PLANS FOR EMPLOYEES WHEN AGNEWS IS CLOSED**

GUIDING PRINCIPLES

Agnews' employees provide valuable contributions to the men and women residing at Agnews and to the quality of services provided. The Department recognizes the experience, training, and commitment of its employees and considers them its most valuable resource. As a result, it is the intent of the Department to follow the guiding principles as identified below and as implemented through the collective bargaining requirements.

- Employees will be provided opportunities to enhance their job skills.
- Employees will receive timely and accurate information to assist them in understanding all aspects of an issue before making decisions that could affect their lives and the future of the organization.
- Employees will be encouraged to seek new opportunities within the developmental center system or in the community service system; they will be assisted in these efforts through mentoring, teaching new skills, and having their choices supported.
- Resources will be provided to assist employees in the development of personal plans that support their objectives and maximize the impact of their expertise throughout the area.
- Systems will be developed and accessible to support employees through the transition process.

EMPLOYEE COMPOSITION

Time Base and Service Years

As of June 30, 2004, there were 1,308 employees at Agnews. Of these employees, 85 percent were full-time employees, 5 percent were part-time employees, and the remaining 8 percent were intermittent employees. In addition, fewer than 2 percent have "Temporary" or "Limited Term" status (see Attachment 8).

Over one-half of the employees have worked at Agnews for 10 years or less. Over 30 percent of the employees have been employed at Agnews between 11 and 20 years. The remaining 20 percent have worked at Agnews for more than 20 years.

Demographics

Sixty six (66) percent of the work force is made up of women. The age range of employees varies from 19 to 80 years of age. The average age of Agnews' employees is 45 years. Forty-three (43) percent are 50 years or older, with 29 percent of the total work force in the 43-50 age range.

Employees at Agnews are from a range of ethnic backgrounds. Employees of Filipino descent comprise 43 percent of the workforce; 21 percent is Caucasian; and 13 percent is African-American. Ten (10) percent of the workforce is Hispanic and 12 percent is Asian.

Classifications

There are currently a wide range of employees and classifications that provide services to people residing at Agnews (Attachment 9). These classifications are categorized as follows:

- **Direct Care:** The direct care employees make up 59 percent of the employee population and include those employees who provide direct services to the men and women residing at Agnews. These employees are registered nurses, psychiatric technicians, psychiatric technician assistants, trainees, and students.
- **Professional:** The level-of-care professional employees make up 8 percent of the total employee population and include physicians, rehabilitation therapists, social workers, teachers, physical and occupational therapists, respiratory therapists and others who provide a direct and specialized service with the consumers at Agnews.
- **Non-Level-of-Care and Administrative Support:** The remaining 33 percent of the employee population includes those employees who are in non-level-of-care positions and administrative support. This includes clerical employees, food service employees, personnel and fiscal services employees, plant operations employees, and all supervisors and managers.

Current Residence

Agnews' employees primarily live in neighborhoods throughout the Bay Area. The greatest percentage (75 percent) of Agnews' employees live in Santa Clara County. Another 15 percent reside in East Bay counties. About 4 percent of employees live in various other Bay Area locations. In addition, Agnews has employees that reside in communities outside of the Bay Area, including 6 percent who commute from San Joaquin County or the Stockton area, and an additional 4 percent that live in other counties throughout the State.

PLANS FOR EMPLOYEES

Subject to negotiations with the employee organizations representing Agnews' employees, transition will be supported in a number of ways based on the "Guiding Principles." First, priority will be given to assisting employees in identifying alternatives that build on their expertise and strengthen the developmental services system. There are a number of resources and services that will be initiated during the implementation of this plan. These include the following:

Continued Employment in the Developmental Disabilities Services System

Employees at Agnews, as well as at other developmental centers, have learned or developed a wide range of special skills that make them effective in providing services and supports to persons with developmental disabilities. Agnews has more registered nurses in their employee group than other developmental centers. California's psychiatric technicians are required to complete a training program and to become licensed by the State if they are going to work with people in the developmental centers. Persons in both of these groups, as well as physicians, social workers, teachers,

physical therapists, rehabilitation therapists, and a wide variety of other professionals, have developed a repertoire of expertise beyond their formal education that is invaluable in working with persons with developmental disabilities. Because many of these people have committed many years of their lives to providing services and supports to this population, it is hoped that many of them will be interested in continuing their work, and sharing their expertise, in the years ahead.

Agnews' employees will be apprised of plans for the continued involvement of state employees in the lives of Agnews' residents once the consumers have moved into community or other settings. This continued involvement can take several forms:

- **Community-Based State Employee:** Positions will be available for a temporary period for approximately 200 direct-service and clinical employees. These employees will participate in providing direct residential services, training, consultation, quality assurance, and other services in the community. These employees will augment and enhance services for Agnews' residents. Procedures for selecting persons to fill these positions will be determined in conjunction with employee organizations.
- **Move to Other Developmental Centers:** Agnews' employees will be encouraged to move to other developmental centers with those Agnews' residents who will be moving. Transfer to developmental centers in other parts of the State will be facilitated through the collective bargaining process.
- **Private Sector Service Provider or Support Staff:** Opportunities will be provided for Agnews' employees who wish to transfer to the community service system as non-state service providers. The Agnews RRDP (Regional Project of the Bay Area), in partnership with local regional centers, will sponsor community information meetings that provide Agnews' employees with information regarding service needs, start-up funding, and vendorization for those employees who are interested in becoming community-based service providers. The AFHA described in Chapter IV is one such opportunity. Another option that might be of interest to Agnews' employees is to become a regional center employee.

Voluntary Transfer to Other State Positions

Some Agnews' employees may want to explore employment options with other state departments. Employees who wish to pursue these options will be assisted by the Department in several ways:

- **Surplus Status:** Following the approval of the Agnews Closure Plan by the Legislature, Agnews' employees will be given "surplus status," which will afford them many of the same benefits of the State Restriction of Appointments (SROA) program described below. The main difference between the two is that employees who are declared "surplus" are required to initiate their own contacts for job opportunities with prospective employers, rather than being contacted directly by employers as occurs with SROA lists. This program can be viewed as a precursor to the more formal SROA program. This will assist employees who are in classes that do not have an existing re-employment list.

- **State Restriction of Appointments:** Once the Department has received approval from the DPA for a layoff plan related to the closure of Agnews, employees will be eligible to participate in the SROA process. An individual can be on an SROA list for a maximum of 120 days, with the potential for a DPA-approved 120-day extension. If a person is on an SROA list, any department wishing to fill a vacancy in that person's job classification is required to interview the SROA candidate before hiring a promotional candidate or other external candidate who does not have SROA status.
- **Discussions With Other State Departments:** The Department will send letters to all state departments and agencies announcing the proposed closure of Agnews and requesting their assistance in identifying possible vacant positions that would be appropriate for Agnews' employees. In addition, the Department will discuss this situation with other departments that hire employees similar to those working at Agnews. This will include the Department of Corrections, Youth Authority, the Employment Development Department, DSS, and others. These discussions will expand the range of job opportunities for Agnews' employees. For example, Agnews has already initiated a dialog with the Department of Mental Health (DMH) regarding their ability to hire significant numbers of employees for its state hospitals and psychiatric programs.
- **Information on State Processes:** Information about a wide range of employee issues, including re-employment eligibility, the layoff process, seniority patterns and procedures, training and development assignments, re-employment skills, retirement, employee benefits, and a myriad of other topics also will be available at Agnews to help employees understand their rights and make the career decisions that are correct for them.
- **Employment Lists:** Agnews will establish lists of job opportunities within the state system and ensure that these are available to employees and updated in a timely manner.

EMPLOYEES TRANSITION

Agnews has been committed, since the announcement of the Bay Area planning process, to the establishment and implementation of a system that promotes employee stability and provides opportunities for employees to help determine their future. Employee retention during the transition is, and will remain, a high priority to assure continuity of services and to protect our most valuable resource, the expertise and commitment of a dedicated workforce. Agnews' employees are aware of the Bay Area Project and of the planning process that has been in place for the past year. They are also aware of the requirement to submit a plan to the Legislature. Many of them served on the various planning teams and were active participants in the identification of issues and the development of recommendations for the plan. Activities to support this process are described below:

Individual Assistance in Developing Job Skills and Locating Job Opportunities

Agnews will offer:

- Workshops on interviewing techniques and resume writing;
- Information sessions on transfer eligibility, taking exams with other agencies, and mechanisms on how to find employment within state service;
- Job fairs for prospective employers of Agnews' employees;

- The Staff Support Team will identify and provide additional training opportunities that will assist employees in seeking other employment and developing the necessary job skills; and
- Retirement and benefit workshops will continue to be routinely provided at Agnews by the California Public Employees' Retirement System (CalPERS).

Planning and supports will be provided one-person-at-a-time:

- Each person will be assisted in developing and implementing a career transition plan. A career center that provides employee individualized assistance will be available. Designated employees will be trained and dedicated to this effort.
- Agnews' employees will be provided with the necessary information regarding seniority points, retirement options, and available job opportunities, including those agencies with similar job classifications.

Information-Dissemination Activities

A wide range of activities will take place to ensure that employees are kept informed about progress on the closure and about available job opportunities.

- **Communications Team and "New Beginnings" Newsletter:** As a component of the Bay Area Project, the Communications Team was developed to assist in assuring that all employees and involved stakeholders received accurate and timely information in the formation of the Bay Area Project Plan. This process, which included routine meetings, regular access to information via the Internet and Intranet, and the "New Beginnings" newsletter, will continue throughout the closure process. The meetings have and will serve to address rumors about the closure, and help employees deal with their concerns and with the challenges of making decisions about their futures. The newsletter will continue to provide an update on the progress of the closure and also will address rumors and ensure employees receive correct information.
- **Agnews Staff Support Team:** A second committee initiated (as part of the Bay Area Project) was the Agnews Staff Support Team. This team was developed as a mechanism for idea formation, information sharing, and plan development in relation to employee needs. From this committee Agnews will establish a work group to be actively involved in the information gathering and sharing of issues raised by employees in relation to personnel, labor relations, and employee rights. Questions from Agnews' employees will be sent to this group for review and response, or to the applicable bargaining unit when appropriate.
- **Information Publications:** Agnews currently provides the "Personnel Touch," which provides monthly listings of available job vacancies in the Department throughout the State. This publication will continue to be provided on a monthly, or more often, basis as needed. Information on other state employment opportunities also will be provided.
- **Hot-Line:** Agnews currently has a Hot-Line established for employees to share their concerns, thoughts, or recommendations on an "as needed" basis. This process will continue and will be expanded to have both issues and appropriate responses and information included in the "New Beginnings" newsletter.

- **Immediate Information:** Agnews' Leadership Council consists of all Program and Department Chairs who meet on a bi-weekly basis. Agnews' Leadership Team, which is made up of all supervisors and managers, meets on a monthly basis. These meetings provide the necessary updates and sharing of information to assist managers in disseminating the information to all employees. These meetings will routinely, and on an "immediate" basis, be an effective mechanism for sharing "late-breaking" news or information.
- **Employee Meetings:** Agnews currently has Town Hall meetings on a regular basis where information on a local (Agnews), statewide, and Bay Area Project level is shared. These meetings allow employees the opportunity to get the latest in updates, ask questions, and share concerns with Agnews' Executive Staff. These meetings will be held on a more frequent basis as this plan moves forward.

During the planning period, prior to the publication of this plan, these informational efforts were very successful. Since the closure proposal was made, staffing has remained stable. The attrition rate for 2003, after the proposal was announced, was actually lower than Agnews experienced in 2002, prior to the closure planning.

OTHER CONTINUING FEATURES

Maintain Bay Area RRDP (Regional Project of the Bay Area)

The regional project has played a vital role in developing community resources—both state-funded and generic—for persons moving out of Agnews and in monitoring the quality of the services that are provided in the community. The regional project's monitoring functions are specified in statute, which gives this group specific responsibility for following up on individuals moving into the community from Agnews to ensure that the placements and services are working effectively and to resolve any crises that may occur. The Department will continue the regional project function after the closure of Agnews, and integrate these functions into the Quality Assurance/Quality Indicator (QA/QI) system that was described in Chapter IV.

Maintain Foster Grandparents and Senior Companions

Important services are provided to residents of Agnews through a federal grant from the Corporation for National and Community Service, National Senior Service Corps for the Foster Grandparent and Senior Companion programs. Agnews currently employs 29 Foster Grandparents and 51 Senior Companions who deliver 83,520 hours of service annually to persons with developmental disabilities. The Foster Grandparents and Senior Companions are low-income senior citizens who are recruited from the community and paid a small stipend. They serve an average of four hours per day providing one-on-one service to two individuals with disabilities. They provide companionship and personal assistance, take individuals on outings and to recreational events, and help in the classroom and in other ways serve as friends and mentors to people with developmental disabilities. Most of the Foster Grandparents and some of the Senior Companions serve individuals out in the community.

Although they are not state employees, the Foster Grandparents and Senior Companions provide such essential services that the Department will continue these services by transferring the program to one of the Bay Area regional centers. The Foster Grandparents and Senior Companions who wish to do so can continue their services after the closure by working with community-based individuals.

Maintain the Volunteer Advocates Program Until Final Closure

The Volunteer Advocacy Services (VAS) program, funded by the Department and implemented by the State Council on Developmental Disabilities via local area boards, is designed to provide advocacy resources and assistance to persons living in state developmental centers, including Agnews, and other state-operated community facilities, who have no legally appointed representative to assist them in making choices and decisions. In addition, at the request of legally appointed representatives, volunteer advocates will assist those representatives in advocacy efforts. Consumers accessing these services come both through their own requests as well as referral by the developmental center based upon need for assistance and the lack of other available resources and, if needed, representation. Services range from facilitation of consumer involvement in social and recreational activities, to attendance with the consumer at program planning and other meetings impacting services and supports for the consumer. On a limited basis, if a consumer moves from a developmental center/community facility to the community, VAS continues to monitor the move and subsequent services and supports, and identifies advocacy assistance services for the consumer from community resources.

During both the planning for and subsequent closure of Agnews, this program will focus on informing residents about the closure planning and status; identifying community services and support needs when consumers move as part of the local community placement plan effort; development of IPPs, addressing movement out of Agnews, and services and support in the community; and general emotional support for consumers during this process. As consumers are transitioned to the community, advocacy services will be obtained through existing community-based services.

VI. PLANS FOR FUTURE USE OF THE LAND AND BUILDINGS

AGNEWS' PHYSICAL DESCRIPTION

History

The California State Legislature established Agnews State Hospital in 1885, as a neuropsychiatric institution for the care and treatment of persons with mental illnesses. In 1876, the State purchased 323.5 acres of farmland from Abraham Agnews. The first patients, 65 persons with mental illness from the Stockton Insane Asylum, were received in November of 1888. The population of the facility continued to increase and by 1906, had reached 1,800 residents.

The earthquake and fire of April 18, 1906, severely damaged all of the ward buildings at Agnews and resulted in the deaths of 113 residents and employees. Some of the residents were temporarily relocated to the Stockton Insane Asylum, but the majority (over 800 individuals) was housed in tents and temporary structures on the grounds of Agnews while the facility was rebuilt. Re-occupancy occurred in 1911.

In 1926, the State acquired an additional 424 acres (known as the East Campus), one and one-half mile from the main facility (which became the West Campus). The newly-purchased land was operated by the residents and employees, and initially used as farmland to provide food for the facility. Various structures were added to the properties over time, and by 1955, Agnews' resident population had reached nearly 4,600. The focus of treatment transformed as well, and in 1966, the first consumers with developmental disabilities were admitted. Programs for the mentally ill were discontinued in 1972. It has been utilized exclusively for the care and treatment of persons with developmental disabilities since that time. The facility was renamed Agnews Developmental Center in 1985.

While Agnews originated in rural farming country, the high tech industry now dominates the surrounding area. Approximately 337 acres of the original East Campus has been sold or transferred. Most significant, was the sale of approximately 140 acres to Cisco Systems (Cisco) in the mid-1990's. Cisco has a "First Right to Purchase" the remaining acreage of Agnews once it has been declared surplus and made available for sale. Agnews currently resides on the remaining 87 acres on the north edge of the city of San Jose, in the heart of Silicon Valley. There are 51 buildings on the campus, comprising approximately 692,800 gross square feet of space. There are also two off-site buildings being leased within three and one-half miles of the main campus.

Building Lease

Agnews currently has only one on-campus building lease with Gallivan College (1,972 square feet) to operate an employee cafeteria with a monthly rent of \$415. This lease will terminate on June 30, 2005, but may continue on a month-to-month basis with a 30-day cancellation notice, which can be exercised by either party. Agnews also has use agreements with several private entities for the placement of communication devices on the facility water tower.

Cogeneration Plant

A cogeneration plant provides energy to Agnews and markets electricity through a agreement with a third party, which expires in the year 2020. The agreement obligates the State to purchase a minimum of 48 million pounds of steam annually to maintain the system's economic viability. DGS is the lead agency in facilitating the future use of the real estate, existing leases, structures and infrastructure of the campus, including disposition of the cogeneration plant. The existence of this agreement will be addressed as part of a comprehensive strategic assessment of the campus by DGS.

FUTURE OF THE AGNEWS' CAMPUS

Upon the Legislature's approval of the Department's Agnews Closure Plan and the actual closure of the campus, the property will be treated as "declared surplus" land. The Department has responsibility for maintaining the property for up to one year from the date of closure, or until DGS transfers or otherwise disposes of the asset.

DGS, Real Estate Services Division (RES D), will take the lead in determining the future use of the Agnews "surplus" property.

RES D's current process for marketing surplus properties is to conduct due diligence through collaboration with local governments, planners, and developers to maximize the marketability and value of the land. This includes facilitating any necessary entitlements and zoning changes needed to market the property for the highest and best use.

VII. IMPACT OF THE CLOSURE OF AGNEWS

DEPARTMENT OF DEVELOPMENTAL SERVICES' IMPACT STATEMENT

Impact on Residents and Their Families

Every effort will be made to minimize any adverse impact of the closure of Agnews on the people who reside there. Each individual will participate in planning for his or her own personal future. Many individuals will have the opportunity to move to locations in the community, while others will choose to remain in a developmental center. Regardless of location, all individuals will receive the services and supports that they need as identified in their IPP (see Chapter IV).

As is true of all persons with developmental disabilities served through the regional center system in California, persons moving out of the developmental center into the community will receive the wide range of services available through the regional centers, including person-centered individual planning, referral for and purchase of services, service coordination and case management, and service monitoring from employees of the regional center in that area.

If it is necessary to transfer Agnews' residents to other developmental centers they will receive the same high quality services that they received at Agnews. The Department will ensure that the programs serving these individuals in the new settings will be as close as possible to those provided at Agnews. As always, services will be provided by highly trained and knowledgeable employees. It is anticipated that some of Agnews' employees will choose to move to Sonoma to continue to work with the consumers with whom they are familiar.

New models of community services for Agnews' residents are expected to provide very high quality services for persons whose needs exceed currently available models of service. State employees will continue to be involved in some of these services on a transitional basis, and they also will be essential components of the QA/QI system that is being designed for the Bay Area Project.

Impact of the closure on families of persons with developmental disabilities is anticipated to vary considerably. The Department will involve families, as appropriate, in planning for their relatives' future.

Impact on Employees

The impact of the closure of Agnews on the employees who work there will be mitigated as much as possible through a series of activities designed to help people identify alternate job opportunities. This includes helping at both the level of the individual employee member (e.g., writing a resume, preparing for an interview) and structurally, by talking with potential employers about the availability of this highly skilled workforce, sponsoring job fairs, and using the SROA and other processes to help people find jobs. The Department will encourage Agnews' employees to voluntarily move to Sonoma with the residents. Other Agnews' employees will be encouraged to participate in the state-operated resource networks that will be developed to augment services for consumers

moving out of Agnews. In addition, the Department will encourage some of Agnews' employees to move into the private sector, and become service providers for persons with developmental disabilities living in the community.

Impact on the Community of the Bay Area

The Department anticipates that the closure of Agnews will have very little impact on the surrounding community. The Bay Area is large and economically diverse. The closure of a facility with a budget of \$100 million is likely to be inconsequential to local governments and business. However, the Department also is committed to augmenting the community service system for persons with developmental disabilities in the Bay Area.

REGIONAL CENTERS' STATEMENTS OF IMPACT

The Association of Regional Center Agencies

The Association of Regional Center Agencies deferred the statement of impact to the Bay Area regional centers.

San Andreas Regional Center

San Andreas Regional Center supports the recommendations of the Bay Area Project Planning Teams and the proposed closure of Agnews, as stated by Santi J. Rogers, Executive Director, at the public hearing held December 13, 2003. Mr. Rogers stated that:

"San Andreas Regional Center representatives were intimately involved in the Bay Area Project as members of the Advisory Committee and Agnews Closure Planning Teams and provided leadership to the Community Development Team and its associated workgroups. The process was comprehensive, thoughtful, and inclusive of a broad base of stakeholders including consumers and their families, Agnews employees, regional center representatives, advocates, service providers and area boards.

The State must ensure that sufficient fiscal support is provided to the regional centers. Developing the array of living arrangements and services as recommended by the planning teams, to meet consumer needs will be costly to ensure the development of appropriate resources."

Mr. Rogers also stated that:

". . .the timelines set forth in the Governor's Budget for 2003-04 proposing closure by July 2005, is ambitious, considering the number of resources that would need to be available prior to moving consumers from Agnews to the community. It is anticipated that it could take two to three years after a decision is made to close Agnews for the regional center to have the needed community resources operational. The State must ensure that the expertise of Agnews' employees be maintained in the service delivery system to facilitate the smooth transition of consumers to the community. Agnews' employees can provide continuity of services that will allow consumers to maintain stable community living arrangements and are fully integrated into their home communities."

Regional Center of the East Bay

The Regional Center of the East Bay expressed their position in a letter to Director Cliff Allenby, dated March 26, 2004. In this letter, Michael S. Treppa, President, Regional Center of the East Bay states:

"On behalf of the Regional Center of the East Bay, I am responding to the request to provide a position statement on the proposed closure of Agnews Developmental Center. Regional Center of the East Bay fully supports the recommendations of the Bay Area Project Planning Teams and the proposed closure of Agnews Developmental Center.

The Bay Area Project Team process was open, inclusive, collaborative and thoughtful. Most importantly, it was a process clearly focused on the well being of the over 400 consumers who reside at Agnews Developmental Center. The planning team recommendations as presented in the final reports are an extraordinary body of work developed from a broad array of stakeholders including current and former consumers of Agnews, their families, Agnews' employees, regional centers, advocates, service providers, and others. We firmly believe that these reports provide a solid framework for the plan to close Agnews Developmental Center.

While Regional Center of the East Bay supports the closure of Agnews Developmental Center, we believe the timelines for closure by July of 2005, as contained in the 2003-04 Governor's budget, are overly ambitious. It is critical that regional centers have sufficient time and funding to ensure that a full complement of high quality services and supports are in place for each consumer of Agnews Developmental Center placed in the community. We therefore recommend that the Administration consider a target closure date of December 2006.

We are encouraged by the strong partnerships that have developed with Bay Area regional centers, the Department of Developmental Services, Agnews Developmental Center, and many others as a result of this effort. We look forward to working with the Department to ensure a successful closure that improves the lives and ensures the well being of every resident of Agnews Developmental Center."

Golden Gate Regional Center

Golden Gate Regional Center is one of three Bay Area regional centers that have consumers residing at Agnews. Jim Shorter, Executive Director, provided testimony at the public hearing on December 13, 2003. In his testimony, Mr. Shorter stated that:

"Golden Gate Regional Center supports the process for developing alternative living options for people currently residing at Agnews Developmental Center as reflected in recommendations of the Bay Area Project Planning Teams. Golden Gate Regional Center's Executive Director and staff are members of the Advisory Committee and members of several planning teams. The Bay Area Planning Team process was inclusive, open, and thoughtful drawing on a broad base of stakeholders representing consumers and their families, Agnews' employees, regional centers, advocates, and service providers. The process brought forth

recommendations aimed to ensure that each consumer residing at Agnews has the opportunity to have a choice of an array of community options that will meet their individual needs."

Mr. Shorter vowed that:

" . . . the regional center will continue to focus its efforts on moving consumers into the community and will find or develop quality services that meet the consumers' individual needs."

Mr. Shorter further advised the State not to consider closure of Agnews based solely upon financial considerations but rather based upon the values and principles contained in the Lanterman Developmental Disabilities Services Act. In an effort to meet the needs of current Agnews' residents, consistent with these values (should the Legislature approve closure), Mr. Shorter emphasized that regional centers will need sufficient funding to expand community options in the Bay Area where costs are uncharacteristically high. In addition, he stated that the July 2005, closure date as proposed in the Governor's 2003-2004 budget, does not allow ample time for the development of an array of living arrangements and services that need to be in place prior to consumers moving into the community. It is anticipated that it would take an additional two to three years after the decision to close Agnews is made to have the resources developed to meet the consumer needs as identified in their IPP.

Mr. Shorter further commented as the State considers the closure of developmental centers, the planning process needs to ensure that consumers are provided continuity of services. Agnews' employees represent a significant resource that is an essential to ensuring the smooth transition of, and ongoing services to, consumers moving from Agnews into the community. Their continued service to persons with developmental disabilities will provide a safety net for those consumers with significant issues that at times far exceed the challenges that can be addressed by community service providers.

Mr. Shorter further emphasized that consumers and their families will find that the community provides stable living arrangements along with services and supports that are innovative and provide opportunities to experience a quality life integrated into their home communities.

VIII. MAJOR IMPLEMENTATION STEPS AND TIME LINES

ACTIVITY	DATES
Governor's Budget released directing the Department of Developmental Services (Department) to develop a plan for the proposed closure of Agnews Developmental Center (Agnews) by July 2005.	January 10, 2003
Establish the Bay Area Project Steering Committee.	January 2003
Begin Deflection of admissions from Agnews.	January 2003
Begin Steering Committee meetings.	February 2003
Establish Agnews' proposed closure Advisory Committee.	January 2003
Begin Agnews' proposed closure Advisory Committee meetings.	February 22, 2003
Initial meetings with local officials/legislators/other groups.	February 2003 -September 2003
Initiate futures planning team process for Agnews' residents to identify service needs, preferences, and priorities.	March 2003 -September 2003
Establish Bay Area Project planning teams to solicit input on the Agnews Closure Plan.	March 2003
Provide assistance to Agnews' employees with the transition by providing information, training, job fairs, and employment opportunities.	March 2003 – June 2007
Establish the Unified Community Placement Plan (Unified Plan).	July 2003
Initiate transition planning processes including IPP, transition conference, and vendor evaluations as determined by the Unified Plan.	July 2003 – March 2007
Pre-placement visits for Agnews' consumers.	July 2003 – June 2007
Community placements of consumers from Agnews.	July 2003 – June 2007
Receive Centers for Medicare & Medicaid Services' (CMS) Grant Award for Bay Area Quality Enhancement Initiative.	October 2003
Develop Quality Assurance performance expectations, indicators, and measures that are consistent with CMS Grant period.	October 2003 -September 2006
Analyze existing satisfaction measures and develop measures appropriate for California that are consistent with CMS Grant period.	October 2003 - September 2006
Bay Area Project planning teams submit final reports to Advisory Committee.	November 2003
Public Hearing on the proposed closure of Agnews.	December 13, 2003
Letter to Legislators and Other Interested Parties announcing postponement of Agnews Closure to July 2006.	April 1, 2004
Submission of the Agnews Closure Plan to the Legislature.	January 2005
Development of housing for Agnews' consumers, pursuant to 2100. AB	January 2005 – December 2008
Notify employee organizations of the Department's intent to close Agnews.	February 2005 – March 2007

ACTIVITY	DATES
Legislative Budget Hearings/Testimony.	April 2005
Local level development and implementation of structure and process for Agnews' closure.	July 2005
Recruit and train Agnews' employees for community service, including personnel and collective bargaining issues.	July 2005 – June 2006
Agnews' employees (up to 200) deployed in the community.	July 2005 – June 2009
Plan for the deployment of state employees to determine numbers and types of state employees who will be needed and for what functions.	September 2005
Post-closure clean-up activities at Agnews.	July 2007
Official closure of Agnews.	July 2007
Warm shutdown of Agnews.	July 2007-June 2008

IX. INPUT RECEIVED ON THE PLAN

INPUT FROM AGENCIES/INDIVIDUALS

As was described in Chapter III on the planning process, numerous steps were taken to obtain input from stakeholders and other interested parties. Lists of participants on the Bay Area Advisory Committee and the six planning committees are presented in Attachments 2 and 3.

Meetings were held with the management of the cities and counties that relate to Agnews. These meetings were designed to provide information about the potential closure of Agnews and about the planning process that was being used to answer questions and allay any concerns these governmental entities might have, and to obtain their input on various aspects of the Agnews Closure Plan. Attachment 10 lists the key meetings that were held with governmental entities.

Meetings to Discuss the Bay Area Project

Numerous meetings were held with the Advisory Committee members, families of persons living at Agnews, Agnews' employees, and others. For example:

- **May Forum:** The Bay Area Project Advisory Committee met on May 22, 2003, to review the progress of each of the work groups. The meeting was well attended with about 100 spectators in attendance, along with the Chairperson of each team and a variety of members. Each Chairperson presented the progress of their team, updating the Advisory Committee on membership, work plans and projected timelines for completion. This meeting provided an opportunity for the Advisory Committee members as well as others present to ask questions regarding each presentation and to share concerns and ideas. Representatives from local media were also in attendance and began developing a story regarding the proposed closure.
- **Parent Panel:** On Tuesday, August 19, 2003, a parent panel was sponsored at Agnews. This meeting was designed to facilitate comments, concerns and thoughts about community placement from many of the parents and family members who have relatives residing at Agnews. The meeting format allowed the larger group to break into four smaller groups, all of who shared their stories and provided important information to the planning process. In each group, notes were taken, transcribed, and mailed out to each participant. From this meeting came a list of ideas, recommendations, and concerns regarding the possible closure of Agnews. These ideas were forwarded to the Community Development Team.
- **Employee Meetings:** Town Hall meetings are held on a regular basis at Agnews. During the course of the Bay Area Project planning teams' process there were a number of Town Hall meetings in an effort to keep employees apprised of the current status of the planning teams, update employees regarding other issues relevant to Agnews and to allow for questions and answers from employees. These meetings were held on a quarterly and as-needed basis and were critical to the process of dispelling rumors.

Media Attention, Government Officials

The Communications Team, as part of the Bay Area Project, has been an important component of the planning process. Their ability to assess the informational needs of the project and to establish systems to collect and disseminate information have been vital to keeping everyone informed. The “New Beginnings” newsletter, established within the first months of the project, has given employees, families, residents and others a source of current information and updates on each planning team’s progress. The newsletter also gave facts to dispel the rumors that would crop up during the planning process.

Members of the Communications Team were also involved in giving tours of the facility. As more attention was given to the Bay Area Project’s plan for closure, the media, legislative staff, and other interested individuals wanted to meet or see the facility and get a perspective on the complexities of the developing proposal. Following is a listing of participants:

- Senator Wesley Chesbro
- Peggy Collins, Consultant, Joint Legislative Budget Committee
- Assemblymember Lois Wolk
- John Boisa, Consultant, Assembly Human Services Committee
- Mary Jane Casper representing Senator Liz Figueroa
- Kathryn Nation representing Senator Bruce McPherson
- Paula Rockstroh representing Senator Byron Sher
- Jim Weston representing Senator John Vasconcellos
- Margo Rosen representing Senator Jackie Speier
- Angelica Delgado representing Assemblymember Manny Diaz
- Assemblymember John Laird
- Michelle Lew representing Assemblymember Joseph S. Simitian
- Mary Ader, Consultant, Assembly Appropriations Committee
- Michael Dimmitt, Budget Consultant, Democratic Fiscal Committee
- Scott Carney, Assistant Program Budget Manager, Department of Finance
- Amanda Martin, Finance Budget Analyst, Department of Finance
- Shawn Martin, Fiscal and Policy Analyst, Legislative Analyst’s Office
- Eileen Cubanski, Assistant Secretary Health and Human Services Agency
- Jody McCoy, Principal Program Budget Analyst, Department of Finance
- Stan Bajorin, Finance Budget Analyst, Department of Finance
- Department of Social Services, Community Care Licensing
- San Jose Mercury News and Oakland Tribune
- San Jose Commission on People with Disabilities
- Representatives from the Department of Health Services
- Representatives from the Department of Social Services

In addition, the Communications Team made contact with city and county officials and local newspaper, radio, and TV reporters. The media was represented at the public meetings and public hearings, and had extensive contacts with relatives of residents of Agnews. In addition, employees and other interested individuals were interviewed for their opinions on the potential plan for closure. KPIX, KRON and KNTV also filmed on campus in relationship to stories they were developing on the impact the closure would have on the residents who live at Agnews and the families who remain involved in their lives. Local government officials and media contacts include:

- **Local Officials**

- The City of Milpitas Thomas Wilson, City Manager
- The City of San Jose Linda J. LeZotte, City Council Member
- The City of Santa Clara John L. McLemore, City Council Member
- The County of Santa Clara James T. Beall, Jr. Santa Clara County Board of Supervisors

- **Media Contacts**

Print News	Television	Radio Stations
San Jose Mercury News	KGO	KGO
Oakland Tribune	KICU	KLIV
Contra Costa Times	KNTV	KCBS
	KPIZ	KARA
	KRON	KQED

Input from Public Hearing

Welfare and Institutions Code, section 4474.1 (e) requires: "Prior to the submission of the plan to the Legislature, the department shall hold at least one public hearing in the community in which the developmental center is located, with public comment from that hearing summarized in the plan."

The Department conducted a public hearing on the proposed closure of Agnews on Saturday, December 13, 2003, from 10:30 a.m. to 3:30 p.m. at Agnews' Multi-Purpose Building.

Summary of Public Hearing

There were 210 participants who attended and signed-in at the public hearing. There were approximately 50 more attendees who chose not to sign-in. The people attending represented current and former residents of Agnews, family members, advocates, union representatives, Agnews' employees, regional center representatives, State Council on Developmental Disabilities, and regional area boards, legislative staff, service providers, the general public, and local media.

There were 67 persons who requested to present verbal testimony. All persons registered were given the opportunity to speak; 61 testified. Of these, 15 (25 percent) supported closure of Agnews; 42 (68 percent) opposed closure of Agnews; 4 (7 percent) stated no position. Of the persons who testified, 13 (22 percent) supported the recommendations of the Bay Area Project; 21 (34 percent) supported the KOFT proposal; and 27 (44 percent) stated no preference for either the Bay Area

Project proposal or the KOFT proposal. There were numerous elements identified that were considered essential, in the event of closure, for a successful transition of Agnews' residents to the community:

- Assure stable living arrangements;
- Provide adequate funding for housing, services and supports;
- Ensure time to assess individual needs;
- Design and implement transition plans to ensure a successful transition;
- Ensure continuity of services by maintaining the expertise of Agnews' employees to transition Agnews' residents to the community;
- Ensure that state employees provide ongoing services to persons with developmental disabilities;
- Expand the range of services options available to residents moving to the community; and
- Extend the timelines in the event of a closure to ensure that appropriate and quality living arrangements, services, and supports are available in the close proximity to Agnews.

The input from the public throughout the stakeholder process as well as the public hearing was critical to the development of this plan.

Other Public Input

The public was also invited to provide comment on the October 2003 proposal submitted by KOFT offering an alternative solution for the closure of Agnews. Subsequent to the October proposal, KOFT and Elwyn, Inc. (Elwyn) submitted a revised proposal April 2004, with a final proposal "Project SHARE" submitted June 2004 (see Attachment 12).

The Department has reviewed and met with the representatives of KOFT and representatives of Elwyn regarding their proposal entitled "Project SHARE." In the meeting with representatives of KOFT and Elwyn the Department clearly indicated that it would not support their proposal as it centered on the creation of a large residential facility. The Department further indicated that it would not support a direct contract for services with the Department, and that the existing process of community development via CPP and the regional centers would be utilized. The Department did indicate that there were some components of the proposal, such as the development of medical and dental services for individuals who reside in the community that may well be needed and encouraged KOFT and Elwyn to participate with the regional centers in the community-based process that will be used to develop these services.

KOFT responded to the Department's concerns with a revised concept in November 2004. The Department and the regional centers will continue a planning process that is inclusive and that is responsive to the needs of the consumers and the interests of their families. We will continue our dialogue with KOFT to assure that they have an opportunity to participate in the regional centers' resource development efforts within the parameters established in this plan.

X. FISCAL IMPACT

This chapter includes preliminary estimates related to the closure of Agnews. These preliminary figures will be updated through the normal budget development process for FY 2005-2006 and FY 2006-2007, as information that is more detailed is known regarding the specific needs of each consumer and the resource development required to meet those needs.

The preliminary estimates are consistent with the November 2004 projections on which the January 2005-06 Governor's budget is based. The Department believes these estimates give a reasonable fiscal picture of the additional funds needed to close the Agnews. Although the closure will require a different approach to resource development, the preliminary estimates are consistent with the Department's experience with the closures of Stockton and Camarillo. In those efforts, additional funds were needed to affect the closure, however the ongoing savings offset these upfront costs.

Included in this chapter are three summary charts, along with supporting documentation, that delineates the costs required to close Agnews.

CHART 1—Net Impact to the Budget by Fiscal Year

The first chart (page 45) summarizes the fiscal impact to the developmental center and regional center budgets by issue beginning in FY 2004-2005 through FY 2009-2010. The change to the budgets from each prior fiscal year is displayed at the end of the chart.

CHART 2—Change from Prior Fiscal Year

The second chart (page 46) displays the net funding change by issue for each fiscal year and provides detail for the change to the budgets from each prior year as displayed at the end of the first chart. The change indicates the net fiscal impact which accounts for the funding needed to place consumers into the community offset by the one-time start-up funds needed to develop community resources, as well as one-time funding for developmental center closure activities and the savings to be realized once the facility is closed. For example, the Legislature-approved \$11.1 million for development of community placements (included in Issue 11—Community Placement Plan) becomes part of the base funding in FY 2004-2005. However, due to its one-time nature, the funding is eliminated in FY 2005-2006 which then offsets the increased community placement costs in that year.

CHART 3—Cost Analysis: Continue Agnews Developmental Center Operations vs. Close Agnews Developmental Center

The third chart (page 47) summarizes the funding that would be needed to keep Agnews open, as compared to the costs related to closing the facility. As indicated in the supporting documentation, additional funding would be needed to address structural issues if the facility were to remain open. The cost summary related to closing the facility is consistent with the cost detail provided in the first chart.

From a fiscal perspective, the three charts indicate that the long-term costs related to placing people into the community are more than offset by the long-term savings related to closing the facility.

FISCAL CONSIDERATIONS

The following issues should be considered when reviewing the fiscal analysis:

- Revenues or costs associated with the eventual sale/lease of the land after Agnews' closure have not been included. DGS is the lead agency in facilitating future use of the Agnews campus. It is assumed decisions related to the future use of the Agnews campus would take into account the agreement for the Cogeneration Plant as referenced on page 30 of this Plan.
- The fiscal analysis does not consider the benefit of assets generated through the purchase/lease/donate model presented in this Plan.
- The fiscal analysis does not include the ICF costs for residents transitioned from Agnews into ICFs. These costs are funded through the DHS. The fiscal analysis does include the regional center costs for day programs, transportation, and ancillary services for the residents transitioned into the ICFs. These costs are currently 100 percent General Fund.
- The actual scope of the Department and DHS responsibilities occurring due to implementation of the special health care facilities is unknown until the legislation is finalized. Therefore, the fiscal analysis does not reflect additional resources to address the possibility of increased workload.
- The cost of developing specialized housing for a portion of residents moving from Agnews is not reflected in this plan but in the Community Placement Plan portion of the Department's budget for Fiscal Year 2005-06.
- The housing costs are not final and are subject to variation based on factors such as: unique needs of the individual, whether the housing is new construction or existing housing stock, type of financing, and location of the property. Housing costs will be updated once the specific housing needs of residents moving from Agnews have been identified.
- The fiscal analysis does not consider the potential loss of federal funding due to decertification that may result from the time needed to complete the necessary infrastructure improvements specific to meeting Fire, Life, and Safety Standards if the Agnews facility were to remain open. Agnews currently has a waiver in place with the State Fire Marshall in concurrence with DHS and the CMS to maintain certification and licensure. The waiver was granted with the agreement that the facility was to close in 2005, and a 24-hour fire watch would be maintained with additional staffing. The longer the facility remains open the higher the risk is for certification and licensure loss due to lack of action regarding the infrastructure improvements.
- The fiscal analysis accounts for the current recruitment and retention funds paid to Agnews employees, but does not account for new employee incentives or retention funds related to closure of the facility.
- Employee compensation costs that may be negotiated in future years (which would increase the operational costs of Agnews were it to remain open) are not included in the fiscal analysis. Given that 85 percent of the operating costs of a facility are

associated with staffing costs, any increase in employee compensation would have a significant fiscal impact. For example, a five percent general salary increase for Agnews employees would drive the staffing costs to increase by more than \$3 million annually. This is without consideration to negotiated increases for other staff benefits. These operational costs have an overall effect on the annual average cost per consumer. Agnews' annual average cost per consumer is currently the highest in the developmental center system. As the operating costs continue to increase and the population declines, this annual average will increase commensurately. Previous analyses have indicated when the population of a facility drops below 300 residents, the costs of operating the facility become prohibitive.

- The fiscal analysis does not include the workers' compensation costs that are carried beyond the closure of a facility. These costs will be considered during the developmental center estimate process.

COST ANALYSIS

The cost analysis compares the costs to continue Agnews' operations including the costs for capital improvements that would be needed to make the facility compliant with Fire, Life, and Safety Standards as well as the Americans with Disabilities Act standards, with the costs to close Agnews, including the fiscal impact to the regional center system to transition and provide services and supports to residents in the community.

- **Continue Agnews Operations:** Agnews will remain open indefinitely and all required capital improvements and repairs to bring the aging building and infrastructure into compliance with federal regulations and state licensing requirements will be completed. The resident population will be maintained at not less than 250 residents by FY 2006-2007.
- **Closure of Agnews:** The plan is written assuming the Department will move all residents out of Agnews by June 30, 2007, and that the facility will then be closed. The closure of Agnews will avoid the capital improvement costs that would be needed to keep the facility open.

ASSUMPTIONS

The fiscal analysis for the Agnews Closure Plan was prepared utilizing a number of general assumptions for development of the fiscal display. The data are preliminary and subject to further development and review as the specific needs of the individuals and the resources required in the community are developed. The following are general assumptions impacting the development of the fiscal detail including the cost analysis:

- **Population/DC Placement:** Of the 376 residents at Agnews as of June 30, 2004, it is estimated that 326, or more than 85 percent, will be transitioned into the community through innovative housing development and the use of existing Agnews staffing resources. The remaining 50 residents will be transferred to other developmental centers, as determined by individual assessment and family preference. The majority of residents are likely to move to Sonoma. In review of the attached fiscal synopsis for the plan to close Agnews, it should be noted that the projection methodology assumes 10 deaths per year.

- **Unified Community Placement Plan:** The existing policy to incorporate the individual placements in the regional center estimate will continue as part of the normal budget development process. This estimate includes start-up costs, placements, state staffing costs, and unified operations costs.
- **Funding Sources:** Estimates by fund source related to Agnews' expenditures need to be developed using the existing General Fund/reimbursement split. It is estimated that most of the Agnews residents would qualify for the HCBS Waiver, thereby allowing federal reimbursement for waiver-eligible services while living in the community. The expenditures and/or savings associated with waiver-eligible residents are reflected in the estimated regional center costs.
- **State Employees in the Community:** The use of state employees in the community is integral to the successful placement of the Agnews residents. The fiscal analysis assumes 200 state employees currently working at Agnews will provide services and supports to Agnews' residents that have been placed into the community. Funding for the state employees will be reimbursed by the regional centers.

DEPARTMENT OF DEVELOPMENTAL SERVICES
Plan to Close Agnews Developmental Center

NET IMPACT TO THE BUDGET BY FISCAL YEAR

	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10
FISCAL IMPACT BY ISSUE						
Developmental Centers						
Issue # 1 Agnews Budget Base	\$100,214,000	\$91,142,000	\$78,542,000	\$0	\$0	\$0
Issue # 2 Placements Into the Community	-3,591,000	-12,865,000	-15,057,000	-9,387,000	0	0
Issue # 3 Resident Transfers to Other DCs	0	0	-2,150,000	0	0	0
Issue # 4 State Staff in the Community	0	0	0	18,042,000	18,042,000	0
Issue # 5 Administrative Staff for Closure	0	0	0	440,000	0	0
Issue # 6 Warm Shut Down	0	0	0	4,348,000	0	0
Issue # 7 Foster Grandparent/Senior Companion Program	0	0	0	-399,000	0	0
Issue # 8 Staff Support Costs	0	509,000	6,567,000	163,000	0	0
Issue # 9 Facility Preparation	0	0	400,000	0	0	0
Issue # 10 Client Relocation Costs	0	0	525,000	0	0	0
Issue # 11 Regional Resource Development Projects	0	0	0	937,000	937,000	937,000
Sub-Total, Developmental Centers	\$96,623,000	\$78,786,000	\$68,827,000	\$14,144,000	\$18,979,000	\$937,000
<i>General Fund</i>	<i>51,038,000</i>	<i>39,554,000</i>	<i>34,563,000</i>	<i>256,000</i>	<i>549,000</i>	<i>549,000</i>
<i>Other</i>	<i>45,585,000</i>	<i>39,232,000</i>	<i>34,264,000</i>	<i>13,888,000</i>	<i>18,430,000</i>	<i>388,000</i>
Regional Centers						
Issue # 12 Community Placement Plan	\$27,798,000	\$25,516,000	\$32,438,000	\$0	\$0	\$0
Issue # 13 Placement Continuation	5,279,000	13,667,000	27,274,000	60,170,000	60,243,000	60,190,000
Issue # 14 Consultant Services	0	280,000	280,000	90,000	90,000	90,000
Issue # 15 Foster Grandparent/Senior Companion Program	0	0	0	429,000	429,000	429,000
Issue # 16 Evaluation of Licensing Pilots	0	250,000	250,000	250,000	0	0
Sub-Total, Regional Centers	\$33,077,000	\$39,713,000	\$60,242,000	\$60,939,000	\$60,762,000	\$60,709,000
<i>General Fund</i>	<i>29,667,000</i>	<i>31,025,000</i>	<i>40,532,000</i>	<i>40,028,000</i>	<i>39,816,000</i>	<i>39,788,000</i>
<i>Other</i>	<i>3,410,000</i>	<i>8,688,000</i>	<i>19,710,000</i>	<i>20,911,000</i>	<i>20,946,000</i>	<i>20,921,000</i>
GRAND TOTAL	\$129,700,000	\$118,499,000	\$129,069,000	\$75,083,000	\$79,741,000	\$61,646,000
(Please see pages 50 - 52 for detail.)						
<i>General Fund</i>	<i>80,705,000</i>	<i>70,579,000</i>	<i>75,095,000</i>	<i>40,284,000</i>	<i>40,365,000</i>	<i>40,337,000</i>
<i>Other</i>	<i>48,995,000</i>	<i>47,920,000</i>	<i>53,974,000</i>	<i>34,799,000</i>	<i>39,376,000</i>	<i>21,309,000</i>
CHANGE FROM PRIOR FISCAL YEAR						
(Please see page 46 for detail on change from prior year.)						
GRAND TOTAL¹	Total	-\$11,201,000	\$10,570,000	-\$53,986,000	\$4,658,000	-\$18,095,000
<i>General Fund</i>		<i>-10,126,000</i>	<i>4,516,000</i>	<i>-34,811,000</i>	<i>81,000</i>	<i>-28,000</i>
<i>Other</i>		<i>-1,075,000</i>	<i>6,054,000</i>	<i>-19,175,000</i>	<i>4,577,000</i>	<i>-18,067,000</i>
Developmental Centers	Total	-\$17,837,000	-\$9,959,000	-\$54,683,000	\$4,835,000	-\$18,042,000
<i>General Fund</i>		<i>-11,484,000</i>	<i>-4,991,000</i>	<i>-34,307,000</i>	<i>293,000</i>	<i>0</i>
<i>Other</i>		<i>-6,353,000</i>	<i>-4,968,000</i>	<i>-20,376,000</i>	<i>4,542,000</i>	<i>-18,042,000</i>
Regional Centers	Total	\$6,636,000	\$20,529,000	\$697,000	-\$177,000	-\$53,000
<i>General Fund</i>		<i>1,358,000</i>	<i>9,507,000</i>	<i>-504,000</i>	<i>-212,000</i>	<i>-28,000</i>
<i>Other</i>		<i>5,278,000</i>	<i>11,022,000</i>	<i>1,201,000</i>	<i>35,000</i>	<i>-25,000</i>

1. The future savings associated with the closure of Agnews does not reflect revenues the State may receive resulting from the sale of the Agnews land once closure is completed. In the event that no alternative use can be identified for the existing Cogeneration plant, the revenues would be offset by the costs of the Cogeneration buyout.

DEPARTMENT OF DEVELOPMENTAL SERVICES
Plan to Close Agnews Developmental Center

CHANGE FROM PRIOR FISCAL YEAR

	FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10
<u>FISCAL IMPACT BY ISSUE</u>						
<u>Developmental Centers</u>						
Issue # 1 Agnews Budget Base	\$100,214,000	-\$9,072,000	-\$12,600,000	-\$78,542,000	\$0	\$0
Issue # 2 Placements Into the Community	-3,591,000	-9,274,000	-2,192,000	5,670,000	9,387,000	0
Issue # 3 Resident Transfers to Other DCs	0	0	-2,150,000	2,150,000	0	0
Issue # 4 State Staff in the Community	0	0	0	18,042,000	0	-18,042,000
Issue # 5 Administrative Staff for Closure	0	0	0	440,000	-440,000	0
Issue # 6 Warm Shut Down	0	0	0	4,348,000	-4,348,000	0
Issue # 7 Foster Grandparent/Senior Companion Program	0	0	0	-399,000	399,000	0
Issue # 8 Staff Support Costs	0	509,000	6,058,000	-6,404,000	-163,000	0
Issue # 9 Facility Preparation	0	0	400,000	-400,000	0	0
Issue # 10 Client Relocation Costs	0	0	525,000	-525,000	0	0
Issue # 11 Regional Resource Development Projects	0	0	0	937,000	0	0
Sub-Total, Developmental Centers	\$96,623,000	-\$17,837,000	-\$9,959,000	-\$54,683,000	\$4,835,000	-\$18,042,000
<i>General Fund</i>	<i>51,038,000</i>	<i>-11,484,000</i>	<i>-4,991,000</i>	<i>-34,307,000</i>	<i>293,000</i>	<i>0</i>
<i>Other</i>	<i>45,585,000</i>	<i>-6,353,000</i>	<i>-4,968,000</i>	<i>-20,376,000</i>	<i>4,542,000</i>	<i>-18,042,000</i>
<u>Regional Centers</u>						
Issue # 12 Community Placement Plan	\$27,798,000	-\$2,282,000	\$6,922,000	-\$32,438,000	\$0	\$0
Issue # 13 Placement Continuation	5,279,000	8,388,000	\$13,607,000	\$32,896,000	\$73,000	-\$53,000
Issue # 14 Consultant Services	0	280,000	0	-190,000	0	0
Issue # 15 Foster Grandparent/Senior Companion Program	0	0	0	429,000	0	0
Issue # 16 Evaluation of Licensing Pilots	0	250,000	0	0	-250,000	0
Sub-Total, Regional Centers	\$33,077,000	\$6,636,000	\$20,529,000	\$697,000	-\$177,000	-\$53,000
<i>General Fund</i>	<i>29,667,000</i>	<i>1,358,000</i>	<i>9,507,000</i>	<i>-504,000</i>	<i>-212,000</i>	<i>-28,000</i>
<i>Other</i>	<i>3,410,000</i>	<i>5,278,000</i>	<i>11,022,000</i>	<i>1,201,000</i>	<i>35,000</i>	<i>-25,000</i>
GRAND TOTAL						
Total	\$129,700,000	-\$11,201,000	\$10,570,000	-\$53,986,000	\$4,658,000	-\$18,095,000
<i>General Fund</i>	<i>\$80,705,000</i>	<i>-\$10,126,000</i>	<i>\$4,516,000</i>	<i>-\$34,811,000</i>	<i>\$81,000</i>	<i>-\$28,000</i>
<i>Other</i>	<i>\$48,995,000</i>	<i>-\$1,075,000</i>	<i>\$6,054,000</i>	<i>-\$19,175,000</i>	<i>\$4,577,000</i>	<i>-\$18,067,000</i>

DEPARTMENT OF DEVELOPMENTAL SERVICES
Plan To Close Agnews Developmental Center

COST ANALYSIS: CONTINUE AGNEWS DEVELOPMENTAL CENTER OPERATIONS
vs. CLOSE AGNEWS DEVELOPMENTAL CENTER

		FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10
Costs to Continue Agnews Developmental Center Operations							
GRAND TOTAL	Total	\$133,921,000	\$112,228,000	\$114,118,000	\$105,970,000	\$133,002,000	\$105,682,000
(Please see pages 48 - 49 for detail.)	General Fund	83,851,000	65,331,000	69,752,000	62,597,000	89,423,000	61,929,000
	Other	50,070,000	46,897,000	44,366,000	43,373,000	43,579,000	43,753,000
	PYs	1173.0	964.0	842.3	779.9	779.9	779.9
	Population	376	309	270	250	250	250
	Placements	57	29	10	10	10	10
	Prior Year Placements	49	57	29	10	10	10
Developmental Centers	Total	\$100,844,000	\$92,402,000	\$96,720,000	\$87,447,000	\$113,348,000	\$84,968,000
	General Fund	52,923,000	48,493,000	55,146,000	47,070,000	72,971,000	44,591,000
	Other	47,921,000	43,909,000	41,574,000	40,377,000	40,377,000	40,377,000
	PYs	1,173	964	842	780	780	780
	Population	376.0	309.0	270.0	250.0	250.0	250.0
Regional Centers	Total	\$33,077,000	\$19,826,000	\$17,398,000	\$18,523,000	\$19,654,000	\$20,714,000
	General Fund	30,928,000	16,838,000	14,606,000	15,527,000	16,452,000	17,338,000
	Other	2,149,000	2,988,000	2,792,000	2,996,000	3,202,000	3,376,000
	Placements	57	29	10	10	10	10
	Prior Year Placements	49	57	29	10	10	10
Costs to Close Agnews Developmental Center							
GRAND TOTAL	Total	\$129,700,000	\$118,499,000	\$129,069,000	\$75,083,000	\$79,741,000	\$61,646,000
(Please see pages 50 - 52 for detail.)	General Fund	80,705,000	70,579,000	75,095,000	40,284,000	40,365,000	40,337,000
	Other	48,995,000	47,920,000	53,974,000	34,799,000	39,376,000	21,309,000
	PYs	1,173.0	830.0	702.0	256.0	212.0	12.0
	Population	309	209	60	0	0	0
	Placements	57	90	149	0	0	0
	Prior Year Placements	49	57	90	149	0	0
Developmental Centers	Total	\$96,623,000	\$78,786,000	\$68,827,000	\$14,144,000	\$18,979,000	\$937,000
	General Fund	51,038,000	39,554,000	34,563,000	256,000	549,000	549,000
	Other	45,585,000	39,232,000	34,264,000	13,888,000	18,430,000	388,000
	PYs	1,173	830	702	256	212	12
	Population	309.0	209.0	60.0	0.0	0.0	0.0
Regional Centers	Total	\$33,077,000	\$39,713,000	\$60,242,000	\$60,939,000	\$60,762,000	\$60,709,000
	General Fund	29,667,000	31,025,000	40,532,000	40,028,000	39,816,000	39,788,000
	Other	3,410,000	8,688,000	19,710,000	20,911,000	20,946,000	20,921,000
	Placements	57	90	149	0	0	0
	Prior Year Placements	49	57	90	149	0	0
Difference							
GRAND TOTAL	Total	-\$4,221,000	\$6,271,000	\$14,951,000	-\$30,887,000	-\$53,261,000	-\$44,036,000
	General Fund	-3,146,000	5,248,000	5,343,000	-22,313,000	-49,058,000	-21,592,000
	Other	-1,075,000	1,023,000	9,608,000	-8,574,000	-4,203,000	-22,444,000
	PYs	0.0	-134.0	-140.3	-523.9	-567.9	-767.9
	Population	-67	-100	-210	-250	-250	-250
	Placements	0	61	139	-10	-10	-10
	Prior Year Placements	0	0	61	139	-10	-10
Developmental Centers	Total	-\$4,221,000	-\$13,616,000	-\$27,893,000	-\$73,303,000	-\$94,369,000	-\$84,031,000
Regional Centers	Total	\$0	\$19,887,000	\$42,844,000	\$42,416,000	\$41,108,000	\$39,995,000

DEPARTMENT OF DEVELOPMENTAL SERVICES
Plan To Close Agnews Developmental Center

COSTS TO CONTINUE AGNEWS DEVELOPMENTAL CENTER OPERATIONS

Fiscal Synopsis

				FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10
DEVELOPMENTAL CENTERS									
Issue # 1	Agnews Budget Base	Total		100,844,000	92,402,000	87,488,000	84,968,000	84,968,000	84,968,000
	Includes the costs related to the base operations of Agnews	<i>General Fund</i>		52,923,000	48,493,000	45,914,000	44,591,000	44,591,000	44,591,000
	including personal services, operating expenses, and equipment costs.	<i>Other</i>		47,921,000	43,909,000	41,574,000	40,377,000	40,377,000	40,377,000
		PYs		1,173	964	842	780	780	780
		Population		376.0	309.0	270.0	250.0	250.0	250.0
Issue # 2	Capital Outlay: Building 54 Upgrades	Total		\$0	\$0	\$4,695,000	\$580,000	\$0	\$0
	Includes completion of the construction phase for the fire, life, and safety improvements that were mandated as a condition of participation for federal certification.	<i>PYs</i>							
		<i>General Fund</i>		0	0	4,695,000	580,000	0	0
		<i>Other</i>		0	0	0	0	0	0
Issue # 3	Capital Outlay: Update Kitchen	Total		\$0	\$0	\$528,000	\$633,000	\$9,390,000	\$0
	Includes corrections of deficiencies and improvements in the main kitchen and satellite kitchen.	<i>PYs</i>							
		<i>General Fund</i>		0	0	528,000	633,000	9,390,000	0
		<i>Other</i>		0	0	0	0	0	0
Issue # 4	Capital Outlay: Americans with Disabilities Act Improvements	Total		\$0	\$0	\$844,000	\$1,266,000	\$18,990,000	\$0
	Includes facilitywide improvements identified as necessary to meet ADA requirements for access and path of travel.	<i>PYs</i>							
		<i>General Fund</i>		0	0	844,000	1,266,000	18,990,000	0
		<i>Other</i>		0	0	0	0	0	0
Issue # 5	Capital Outlay: Infrastructure Repair	Total		\$0	\$0	\$3,165,000	\$0	\$0	\$0
	Includes fire, life, and safety corrections and needed roof, elevator and infrastructure repairs, which have previously been deferred due to pending closure.	<i>PYs</i>							
		<i>General Fund</i>		0	0	3,165,000	0	0	0
		<i>Other</i>		0	0	0	0	0	0
Total Developmental Centers			Total	\$100,844,000	\$92,402,000	\$96,720,000	\$87,447,000	\$113,348,000	\$84,968,000
		<i>General Fund</i>		52,923,000	48,493,000	55,146,000	47,070,000	72,971,000	44,591,000
		<i>Other</i>		47,921,000	43,909,000	41,574,000	40,377,000	40,377,000	40,377,000
		PYs		1173	964	842	780	780	780
		Population		376.0	309.0	270.0	250.0	250.0	250.0

DEPARTMENT OF DEVELOPMENTAL SERVICES
Plan To Close Agnews Developmental Center

COSTS TO CONTINUE AGNEWS DEVELOPMENTAL CENTER OPERATIONS

Fiscal Synopsis

			FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10
REGIONAL CENTERS								
Issue # 6	Community Placement Plan	Total	\$3,422,000	\$1,741,000	\$600,000	\$600,000	\$600,000	\$600,000
	A) Operations	<i>General Fund</i>	3,422,000	1,741,000	600,000	600,000	600,000	600,000
		<i>Other</i>	0	0	0	0	0	0
	B) Purchase of Services	Total	\$24,376,000	\$6,747,000	\$2,326,000	\$2,326,000	\$2,326,000	\$2,326,000
		<i>General Fund</i>	23,114,000	5,640,000	1,945,000	1,945,000	1,945,000	1,945,000
		<i>Other</i>	1,262,000	1,107,000	381,000	381,000	381,000	381,000
	Total Community Placement Plan (A+B)	Total	\$27,798,000	\$8,488,000	\$2,926,000	\$2,926,000	\$2,926,000	\$2,926,000
		<i>General Fund</i>	26,536,000	7,381,000	2,545,000	2,545,000	2,545,000	2,545,000
		<i>Other</i>	1,262,000	1,107,000	381,000	381,000	381,000	381,000
		Placements	57.0	29.0	10.0	10.0	10.0	10.0
Issue # 7	Placement Continuation	Total	\$70,000	\$70,000	\$121,000	\$183,000	\$251,000	\$248,000
	A) Operations	<i>General Fund</i>	37,000	37,000	64,000	96,000	132,000	130,000
		<i>Other</i>	33,000	33,000	57,000	87,000	119,000	118,000
	B) Purchase of Services	Total	\$5,209,000	\$11,268,000	\$14,351,000	\$15,414,000	\$16,477,000	\$17,540,000
		<i>General Fund</i>	4,355,000	9,420,000	11,997,000	12,886,000	13,775,000	14,663,000
		<i>Other</i>	854,000	1,848,000	2,354,000	2,528,000	2,702,000	2,877,000
	Total Community Placement Plan (A+B)	Total	\$5,279,000	\$11,338,000	\$14,472,000	\$15,597,000	\$16,728,000	\$17,788,000
		<i>General Fund</i>	4,392,000	9,457,000	12,061,000	12,982,000	13,907,000	14,793,000
		<i>Other</i>	887,000	1,881,000	2,411,000	2,615,000	2,821,000	2,995,000
		PY Placements	49.0	57.0	29.0	10.0	10.0	10.0
Total Regional Centers			Total	\$33,077,000	\$19,826,000	\$17,398,000	\$18,523,000	\$19,654,000
			<i>General Fund</i>	30,928,000	16,838,000	14,606,000	15,527,000	16,452,000
			<i>Other</i>	2,149,000	2,988,000	2,792,000	2,996,000	3,202,000
			Placements	57.0	29.0	10.0	10.0	10.0
			PY Placements	49.0	57.0	29.0	10.0	10.0
TOTAL: DEVELOPMENTAL CENTERS AND REGIONAL CENTERS								
			Total	\$133,921,000	\$112,228,000	\$114,118,000	\$105,970,000	\$133,002,000
			<i>General Fund</i>	83,851,000	65,331,000	69,752,000	62,597,000	89,423,000
			<i>Other</i>	50,070,000	46,897,000	44,366,000	43,373,000	43,579,000
			PYs	1173.0	964.0	842.3	779.9	779.9
			Population	376.0	309.0	270.0	250.0	250.0
			Placements	57.0	29.0	10.0	10.0	10.0
			PY Placements	49.0	57.0	29.0	10.0	10.0

DEPARTMENT OF DEVELOPMENTAL SERVICES
Plan To Close Agnews Developmental Center

COSTS TO CLOSE AGNEWS DEVELOPMENTAL CENTER

FISCAL SYNOPSIS

				FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10
DEVELOPMENTAL CENTERS									
Issue # 1	Agnews Budget Base Includes the costs related to the base operations of Agnews including personal services, operating expenses, and equipment costs.	Total		\$100,214,000	\$91,142,000	\$78,542,000	\$0	\$0	\$0
		<i>General Fund</i>		<i>52,923,000</i>	<i>48,493,000</i>	<i>41,880,000</i>	<i>0</i>	<i>0</i>	<i>0</i>
		<i>Other</i>		<i>47,291,000</i>	<i>42,649,000</i>	<i>36,662,000</i>	<i>0</i>	<i>0</i>	<i>0</i>
		PYs		1173.0	950.0	652.0	0.0	0.0	0.0
		Population		366	299	209	0	0	0
Issue # 2	Placements Into the Community Includes the savings resulting from the relocation of Agnews residents into the community.	Total		-\$3,591,000	-\$12,865,000	-\$15,057,000	-\$9,387,000	\$0	\$0
		<i>General Fund</i>		<i>-1,885,000</i>	<i>-6,753,000</i>	<i>-7,902,000</i>	<i>-4,926,000</i>	<i>0</i>	<i>0</i>
		<i>Other</i>		<i>-1,706,000</i>	<i>-6,112,000</i>	<i>-7,155,000</i>	<i>-4,461,000</i>	<i>0</i>	<i>0</i>
		PYs		0.0	-170.0	0.0	0.0	0.0	0.0
		Population		-57	-90	-149	0	0	0
Issue # 3	Resident Transfers to Other DCs Includes the savings resulting from the transfer of 50 Agnews residents to other Developmental Centers.	Total		\$0	\$0	-\$2,150,000	\$0	\$0	\$0
		<i>General Fund</i>		<i>0</i>	<i>0</i>	<i>-1,147,000</i>	<i>0</i>	<i>0</i>	<i>0</i>
		<i>Other</i>		<i>0</i>	<i>0</i>	<i>-1,003,000</i>	<i>0</i>	<i>0</i>	<i>0</i>
		PYs		0.0	0.0	-50.0	0.0	0.0	0.0
		Population		0	0.0	0	0	0	0
Issue # 4	State Staff in the Community Includes costs for state staffed placements, clinical teams, direct care staff, and quality assurance teams. After closure in 2006-07 costs will be transferred to Sonoma.	Total		\$0	\$0	\$0	\$18,042,000	\$18,042,000	\$0
		<i>General Fund</i>		<i>0</i>	<i>-2,453,000</i>	<i>-4,837,000</i>	<i>0</i>	<i>0</i>	<i>0</i>
		<i>Other</i>		<i>0</i>	<i>2,453,000</i>	<i>4,837,000</i>	<i>18,042,000</i>	<i>18,042,000</i>	<i>0</i>
		PYs		0.0	50.0	100.0	200.0	200.0	0.0
		Population		0	0	0	0	0	0
Issue # 5	Administrative Staff for Closure Includes the costs of staff needed to ensure records are transferred or stored in a confidential manner, and essential historical documents are chronicled and maintained for approximately 90 days.	Total		\$0	\$0	\$0	\$440,000	\$0	\$0
		<i>General Fund</i>		<i>0</i>	<i>0</i>	<i>0</i>	<i>440,000</i>	<i>0</i>	<i>0</i>
		<i>Other</i>		<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
		PYs		0.0	0.0	0.0	20.0	0.0	0.0
		Population							
Issue # 6	Warm Shut Down Includes the staff and operating expenses to maintain the Agnews facility, including security, utilities and supplies for approximately one year.	Total		\$0	\$0	\$0	\$4,348,000	\$0	\$0
		<i>General Fund</i>		<i>0</i>	<i>0</i>	<i>0</i>	<i>4,348,000</i>	<i>0</i>	<i>0</i>
		<i>Other</i>		<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
		PYs		0.0	0.0	0.0	25.0	0.0	0.0
		Population							
Issue # 7	Foster Grandparent/Senior Companion Program Includes savings for the Foster Grandparent and Senior Companion Programs that will be transferred to the regional center system for continuation of services.	Total		\$0	\$0	\$0	-\$399,000	\$0	\$0
		<i>General Fund</i>		<i>0</i>	<i>0</i>	<i>0</i>	<i>-318,000</i>	<i>0</i>	<i>0</i>
		<i>Other</i>		<i>0</i>	<i>0</i>	<i>0</i>	<i>-81,000</i>	<i>0</i>	<i>0</i>
		PYs		0.0	0.0	0.0	-1.0	0.0	0.0
		Population							

DEPARTMENT OF DEVELOPMENTAL SERVICES
Plan To Close Agnews Developmental Center

COSTS TO CLOSE AGNEWS DEVELOPMENTAL CENTER

FISCAL SYNOPSIS

			FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10
Issue # 8	Staff Support Costs Includes costs for staff transition, staff training, staffing escorts for transportation of clients, etc.	Total	\$0	\$509,000	\$6,567,000	\$163,000	\$0	\$0
		General Fund	0	267,000	6,080,000	163,000	0	0
		Other	0	242,000	487,000	0	0	0
		PYs	0.0	0.0	0.0	0.0	0.0	0.0
		Population						
Issue # 9	Facility Preparation Includes the costs associated with preparing Sonoma to receive Agnews residents.	Total	\$0	\$0	\$400,000	\$0	\$0	\$0
		General Fund	0	0	213,000	0	0	0
		Other	0	0	187,000	0	0	0
		PYs	0.0	0.0	0.0	0.0	0.0	0.0
		Population						
Issue # 10	Client Relocation Costs Includes costs associated with relocation of clients, such as moving vans, transportation vehicles, etc.	Total	\$0	\$0	\$525,000	\$0	\$0	\$0
		General Fund	0	0	276,000	0	0	0
		Other	0	0	249,000	0	0	0
		PYs	0.0	0.0	0.0	0.0	0.0	0.0
		Population						
Issue # 11	Regional Resource Development Projects Includes costs to relocate the RRDP due to Agnews closure. The existing RRDP costs are transferring to Sonoma for administrative purposes.	Total	\$0	\$0	\$0	\$937,000	\$937,000	\$937,000
		General Fund	0	0	0	549,000	549,000	549,000
		Other	0	0	0	388,000	388,000	388,000
		PYs	0.0	0.0	0.0	12.0	12.0	12.0
		Population						
Total Developmental Centers		Total	\$96,623,000	\$78,786,000	\$68,827,000	\$14,144,000	\$18,979,000	\$937,000
		General Fund	51,038,000	39,554,000	34,563,000	256,000	549,000	549,000
		Other	45,585,000	39,232,000	34,264,000	13,888,000	18,430,000	388,000
		PYs	1,173.0	830.0	702.0	256.0	212.0	12.0
		Population	309	209	60	0	0	0
Issue # 12	Community Placement Plan A) Operations Includes costs for CPP administration, service coordination, and resource development.	Total	\$3,422,000	\$6,028,000	\$6,916,000	\$0	\$0	\$0
		General Fund	3,422,000	5,552,000	6,001,000	0	\$0	\$0
		Other	0	476,000	915,000	0	\$0	\$0
B) Purchase of Services Includes costs for traditional and specialized service start-up, pre-development housing, and placements into the community, including property management and leases.	Total	\$24,376,000	\$19,488,000	\$25,522,000	\$0	\$0	\$0	
	Placements	57.0	90.0	149.0	0.0	0.0	0.0	
	General Fund	21,853,000	15,311,000	16,121,000	0	0	0	
	Other	2,523,000	4,177,000	9,401,000	0	0	0	
Total Community Placement Plan (A+B)		Total	\$27,798,000	\$25,516,000	\$32,438,000	\$0	\$0	\$0
		Placements	57.0	90.0	149.0	0.0	0.0	0.0
		General Fund	25,275,000	20,863,000	22,122,000	0	0	0
		Other	2,523,000	4,653,000	10,316,000	0	0	0

**DEPARTMENT OF DEVELOPMENTAL SERVICES
Plan To Close Agnews Developmental Center**

COSTS TO CLOSE AGNEWS DEVELOPMENTAL CENTER

FISCAL SYNOPSIS

			FY 2004-05	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10
Issue # 13	Placement Continuation	Total						
A) Operations								
	Includes costs for additional service coordination.							
	<i>General Fund</i>		\$70,000	\$349,000	\$651,000	\$4,196,000	\$4,269,000	\$4,216,000
	<i>Other</i>		37,000	185,000	343,000	2,469,000	2,507,000	2,479,000
			33,000	164,000	308,000	1,727,000	1,762,000	1,737,000
B) Purchase of Services								
	Includes costs for CPP placements and specialized services and housing.							
	<i>General Fund</i>		\$5,209,000	\$13,318,000	\$26,623,000	\$55,974,000	\$55,974,000	\$55,974,000
	<i>Other</i>		49.0	57.0	90.0	149.0	0.0	0.0
			4,355,000	9,447,000	17,537,000	36,871,000	36,871,000	36,871,000
			854,000	3,871,000	9,086,000	19,103,000	19,103,000	19,103,000
Total Placements Continuation (A+B)			\$5,279,000	\$13,667,000	\$27,274,000	\$60,170,000	\$60,243,000	\$60,190,000
	Prior Year Placements		49.0	57.0	90.0	149.0	0.0	0.0
	<i>General Fund</i>		4,392,000	9,632,000	17,880,000	39,340,000	39,378,000	39,350,000
	<i>Other</i>		887,000	4,035,000	9,394,000	20,830,000	20,865,000	20,840,000
Issue # 14	Consultant Services	Total	\$0	\$280,000	\$280,000	\$90,000	\$90,000	\$90,000
	Includes costs to contract for technical assistance on housing issues.							
	<i>General Fund</i>		0	280,000	280,000	90,000	90,000	90,000
	<i>Other</i>		0	0	0	0	0	0
Issue # 15	Foster Grandparent/Senior Companion Program	Total	\$0	\$0	\$0	\$429,000	\$429,000	\$429,000
	Includes the costs to continue the Agnews Foster Grandparent and Senior Companion Programs in the community.							
	<i>General Fund</i>		0	0	0	348,000	348,000	348,000
	<i>Other</i>		0	0	0	81,000	81,000	81,000
Issue # 16	Evaluation of Licensing Pilots	Total	\$0	\$250,000	\$250,000	\$250,000	\$0	\$0
	Includes the costs for evaluation of the Enduring Medical Needs pilot project by the Department of Health Services, Department of Social Services and DDS to determine the viability of this licensing approach.							
	<i>General Fund</i>		0	250,000	250,000	250,000	0	0
	<i>Other</i>		0	0	0	0	0	0
Total Regional Centers			\$33,077,000	\$39,713,000	\$60,242,000	\$60,939,000	\$60,762,000	\$60,709,000
	<i>General Fund</i>		29,667,000	31,025,000	40,532,000	40,028,000	39,816,000	39,788,000
	<i>Other</i>		3,410,000	8,688,000	19,710,000	20,911,000	20,946,000	20,921,000
TOTAL: DEVELOPMENTAL CENTERS AND REGIONAL CENTERS			Total^{1.)}	\$129,700,000	\$118,499,000	\$129,069,000	\$75,083,000	\$79,741,000
	<i>General Fund</i>			80,705,000	70,579,000	75,095,000	40,284,000	40,365,000
	<i>Other</i>			48,995,000	47,920,000	53,974,000	34,799,000	39,376,000
	PYs			1,173.0	830.0	702.0	256.0	212.0
	Population			309	209	60	0	0
	Placements			57	90	149	0	0
	Prior Year Placements			49	57	90	149	0

1.) The total amount for fiscal years 2007-08/2008-09 includes costs for the state staff in the Regional Center and Developmental Center budgets. The Regional Center budget includes \$18.0 million to reimburse the Developmental Centers budget to fund state staff.

XI. LIST OF ATTACHMENTS

1. Statutory Requirements for the Closure of a Developmental Center Welfare and Institutions Code, Section 4474.1.
2. Advisory Committee to the Department of Developmental Services on the Proposed Closure of Agnews Developmental Center.
3. Bay Area Project Planning Teams.
4. Futures Planning Team Process Assessment Worksheet.
5. Quality of Service Indicators.
6. Characteristics of Persons with Developmental Disabilities at Agnews, June 30, 2004.
7. Agnews Developmental Center Population by Region and Regional Center, June 30, 2004.
8. Characteristics of Agnews' Staff.
9. Number of Agnews Developmental Center Employees by Collective Bargaining Identifier.
10. Meetings to Explain the Agnews Closure Plan and Obtain Input.
11. Reports from Each of the Planning Teams.
12. Keep Our Families Together (KOFT) Proposal Project SHARE, June 2004.